



CITY OF HAM LAKE

CHARTER

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CHAPTER ONE      NAME BOUNDARIES AND GENERAL PROVISIONS

SECTION 1.01 NAME AND BOUNDARIES      The City of Ham Lake, Anoka County, Minnesota shall continue to be a municipal corporation under that name and with the same boundaries as now are or hereafter may be established.

SECTION 1.02 POWERS OF THE CITY      The city shall have all the powers which it may now or hereafter be possible for a municipal corporation in this state to exercise in harmony with the constitutions of this state and of the United States. It is the intention of this charter to confer upon the city every power which it would have if it were specifically mentioned. The charter shall be construed liberally in favor of the city and the specific mention of particular municipal powers of the city to those thus mentioned. Unless granted to some other officer or body, all powers are vested in the City Council.

CHAPTER TWO FORM OF GOVERNMENT

SECTION 2.01 FORM OF GOVERNMENT. The form of government established by this charter is the Mayor-Council Plan. Except as otherwise provided by law or this charter, all powers of the city are vested in the council.

SECTION 2.02 BOARDS AND COMMISSIONS. There shall be no separate administrative board of health, library board, or any other administrative board or commission except for the administration of a function jointly with another political subdivision. The council shall itself be and perform the duties and exercise the powers of such boards and commissions provided for by statute. The council may, however, establish boards or commissions to advise the council with respect to any municipal function or activity, to investigate any subject or interest to the city, or to perform quasi-judicial functions.

SECTION 2.03 COUNCIL COMPOSITION AND ELECTION. The council shall be composed of a mayor and four (4) councilmembers who shall be qualified electors and who shall be elected at large. Each councilmember shall serve for a term of four (4) years and/or until his/her successor is elected and qualifies. The mayor shall serve for a term of two (2) years and/or until his/her successor is elected and qualifies.

SECTION 2.04 INCOMPATIBLE OFFICES. No member of the council shall hold any paid municipal office or employment under the city, except on the Fire Department, and until one year after the expiration of his/her term as mayor or councilmember no former member shall be appointed to any paid appointive office or

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employment under the city which was created or the compensation for which was increased during his term as councilmember.

SECTION 2.05 VACANCIES. An elective office becomes vacant when the person elected or appointed thereto dies before taking office or fails to qualify, or the incumbent dies, resigns in writing filed with the city clerk, is convicted of a felony, ceases to reside in the city, or is adjudged incompetent by a court of competent jurisdiction. In each such case the council shall by resolution declare the vacancy to exist and shall post and publish notice of such vacancy and within 45 days shall appoint an eligible person to fill the vacancy until the next municipal election.

SECTION 2.06 THE MAYOR. The mayor shall preside at meetings of the council and shall have a vote as a member. The council shall choose from its members an acting mayor who shall hold office at the pleasure of the council. The acting mayor shall serve as mayor in the mayor's absence and as mayor in case of the mayor's disability or absence from the city. The mayor shall be recognized as head of the city government for all ceremonial purposes, by the courts for the purpose of serving civil process, and by the governor for the purposes of martial law, but he shall have no administrative duties.

SECTION 2.07 SALARIES. The mayor and councilmembers shall receive such compensation as is fixed by the council in accordance with law. All officers and employees of the city shall receive such salaries or wages as may be fixed by the council.

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SECTION 2.08 INVESTIGATION OF CITY AFFAIRS. The council may make investigations into the affairs of the city and the conduct of any city department, office, or agency and for this purpose may subpoena witnesses, administer oaths, take testimony, and require the production of evidence. The council shall provide for an audit of the city's accounts at least once a year by the state department in charge of such work or by a certified public accountant. At any time the council may provide for an examination or audit of the accounts of any city officer or agency and it may provide for any survey or research study of any subject of municipal concern.

### CHAPTER THREE COUNCIL PROCEDURE

SECTION 3.01 COUNCIL MEETINGS. The council shall meet regularly at least once each month at such times and places as the council may designate by rule. The mayor or any two (2) members of the council may call a special meeting of the council upon at least twelve hours notice to each member and such reasonable public notice as may be prescribed by council rule in compliance with the laws of Minnesota. To the extent provided by law, all meetings of the council and its committees shall be public and any citizen shall have access to the minutes and records of the council at all reasonable times.

SECTION 3.02 SECRETARY OF THE COUNCIL. The city clerk shall act as secretary of the council. The city clerk shall keep a journal of council proceedings and perform such other duties as this charter or the council may require. The council may designate any other city official or employee, except a member of the council, to act as secretary of the council.

SECTION 3.03 RULES OF PROCEDURE AND QUORUM. The council shall determine its own rules and order of business. A majority of all members shall constitute a quorum but a smaller number may adjourn from time to time. The council may by rule provide a means by which a minority may compel the attendance of absent members.

SECTION 3.04 ORDINANCES, RESOLUTIONS AND MOTIONS. Except as otherwise provided in this charter, all legislations shall be by ordinance. The votes of the council members on any action taken shall be recorded in accordance with statute. Except as otherwise provided in this charter, an affirmative vote of a majority of

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all members of the council shall be required for the adoption of all ordinances and resolutions.

SECTION 3.05 PROCEDURE ON ORDINANCES. Every proposed ordinance shall be presented in writing. No ordinance shall contain more than one subject which shall be clearly expressed in its title. The enacting clause shall be: "The City of Ham Lake ordains." . No ordinance except an emergency ordinance shall be adopted at the meeting as which it is introduced and at least 10 days shall elapse between its introduction and final passage.

SECTION 3.06 EMERGENCY ORDINANCES. An emergency ordinance is an ordinance necessary for the immediate preservation of the public peace, health, morals, safety or welfare in which the emergency is defined and declared in a preamble and the ordinance is adopted by a vote of at least 3 members of the council.

SECTION 3.07 PROCEDURE ON RESOLUTIONS. Every resolution shall be presented in writing and read in full before adoption, unless the reading is dispensed with by a unanimous consent of the council.

SECTION 3.08 SIGNING AND PUBLICATION OF ORDINANCES AND RESOLUTIONS. Every ordinance or resolution passed by the council shall be signed by the mayor, attested by the city clerk and filed and preserved by the city clerk. If the city council determines that publication of the title and a summary of an ordinance would clearly inform the public of the intent and effect of the ordinance, the council may by a four-fifths vote of its members direct that only the title of the ordinance and a summary be published with notice that a printed copy of the ordinance is available for inspection by any person during regular office hours at the office



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of the city clerk and any other location which the council designates. A copy of the entire text of the ordinance shall be posted in the community library, if there is one, or if not, in any other public location which the council designates. Prior to the publication of the title and summary the council shall approve the text of the summary and determine that it clearly informs the public of the intent and effect of the ordinance. The publishing of the title and summary shall be deemed to fulfill all legal publication requirements as completely as if the entire ordinance had been published. The text of the summary shall be published in a body type no smaller than brevier or eight-point type, as defined in Minnesota Statutes Section 331.07. To the extent and manner provided by law an ordinance may incorporate by reference a statute, state administrative rule or regulation of Minnesota, a code, or ordinance or part thereof without publishing the material referred to in full.

#### SECTION 3.09 WHEN ORDINANCES AND RESOLUTIONS TAKE EFFECT.

Every resolution and emergency ordinance shall take effect immediately upon its passage or at such later date as it specifies. Every other ordinance shall take effect 30 days after publication or at such later date as it specifies. Every ordinance and resolution adopted by the voters of the city shall take effect immediately upon its adoption or at such later date as it specifies.

#### SECTION 3.10 AMENDMENT AND REPEAL OF ORDINANCES AND RESOLUTIONS.

Every ordinance or resolution repealing all or part of a previous ordinance or resolution shall give the number, if any, and the title of the ordinance or resolution to be repealed in whole or

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part. No ordinance or resolution shall be amended by reference to the title alone, but such an amending ordinance or resolution shall set forth in full each section or subdivision to be amended and shall indicate by appropriate type or symbols matter to be omitted or added.

SECTION 3.11 REVISION AND CODIFICATION OF ORDINANCES. The city may revise, rearrange, and codify its ordinances with such additions and deletions as may be deemed necessary. The ordinance code may be published in book, pamphlet, or continuously revised loose-leaf form and copies shall be made available by the council at the office of the city clerk for general distribution to the public for a reasonable charge. Publication in such a code shall be sufficient publication of any ordinance provision not previously published if a notice that copies of the codification are available at the office of the city clerk is published in the official newspaper for at least two successive weeks.

CHAPTER FOUR NOMINATIONS AND ELECTIONS

SECTION 4.01 THE REGULAR MUNICIPAL ELECTION. A regular municipal election shall be held on the first Tuesday after the first Monday in November of each odd-numbered year commencing in 1983 at such place or places as the city council may designate. The city clerk shall give at least two weeks published notice of the time and place of holding such election and of the officers to be elected, but failure to give such notice shall not invalidate the election.

SECTION 4.02 SPECIAL ELECTIONS. The council may by resolution order a special election and provide all means for holding it. The clerk shall give at least two weeks published notice of a special election. The procedure at such elections shall conform as nearly as possible to that prescribed for other city elections.

SECTION 4.03 FILING FOR OFFICE. No earlier than 6 weeks or later than 4 weeks before the municipal election, any voter of the city qualified under the state constitution for elective office may, by filing an affidavit and paying a filing fee of \$2.00 to the city clerk, have his/her name placed on the municipal election ballot.

SECTION 4.04 PROCEDURE AT ELECTIONS. Subject to this charter and applicable state laws, the council may by ordinance further regulate the conduct of municipal elections. Except as otherwise provided by this charter and supplementary ordinances, general state laws on elections shall apply to municipal elections.

CHAPTER FIVE      INITIATIVE AND REFERENDUM

SECTION 5.01 GENERAL VOTER AUTHORITY. The voters of the city shall have the right, in accordance with this charter, to propose ordinances and to require ordinances to be submitted to a vote by processes known respectively as the initiative and referendum.

SECTION 5.02 PETITIONS. An initiative or referendum shall be initiated by a petition signed by residents of the city equal in number to 10 percent of those who were registered to vote as of the completion of voting at the last preceding city election. Each petition shall be sponsored by a committee of five voters whose names and addresses and phone numbers shall appear on the petition. A petition may consist of one or more pages, but each paper circulated separately shall contain at its head or attached to it the statement required by Section 5.05 or 5.06, as the case may be. Each signer shall sign his/her name and give his/her street address. Each separate page of the petition shall have appended to it a certificate, verified by oath, that each signature is the genuine signature of the person whose name it purports to be. The person making the certificate shall be a resident of the city. Any person whose name appears on a petition may withdraw his/her name by a statement in writing filed with the city clerk before the clerk advised the council of the sufficiency of the petition.

SECTION 5.03 DETERMINATION OF SUFFICIENCY. Immediately upon receipt of the petition, the city clerk shall examine the petition as to its sufficiency and report to the council with 20 business days. Upon receiving the report, the council shall determine by resolution the sufficiency of the petition.

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SECTION 5.04 DISPOSITION OF INSUFFICIENT PETITION. If the council determines that the petition is insufficient or irregular the city clerk shall deliver a copy of the petition, together with a written statement of its defects to the sponsoring committee. The committee shall have 30 business days in which to file additional signature papers and to correct the petition in all other particulars. If at the end of that period the council finds that the petition is still insufficient or irregular, the city clerk shall file the petition in his/her office and notify the sponsoring committee. The final finding that the petition is insufficient or irregular shall not prejudice the filing of a new petition for the same purpose nor shall it prevent the council from referring the ordinance to the voters at the next regular or special election at its option.

SECTION 5.05 INITIATIVE. Any ordinance, except an ordinance relating to the budget or capital program, the appropriation of money, the levy of taxes, or the salaries of city officers or employees, may be proposed by a petition which shall state at the head of each page or attached thereto the exact text of the proposed ordinance. If the council passes the proposed ordinance with amendments and a majority of the sponsoring committee do not disapprove the amended form by a statement filed with the city clerk within 10 days of its passage by the council, the ordinance need not be submitted to the voters. If the council fails to enact the ordinance in an acceptable form within 60 days after the final determination of sufficiency of the petition, the ordinance shall be placed on the ballot at the next election

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occurring in the city. If no election is to occur within 120 days after the filing of the petition, the council shall call a special election on the ordinance to be held within such period. If a majority of those voting on the ordinance vote in its favor, it shall become effective 30 days after adoption unless the ordinance specifies a later effective date.

SECTION 5.06 REFERENDUM. Any ordinance subject to the initiative may be subjected to referendum by a petition which shall state, at the head of each page or on an attached paper, a description of the ordinance. Any ordinance upon which a petition is filed, other than an emergency ordinance, shall be suspended in its operation as soon as the petition is found sufficient. If the ordinance is not thereafter entirely repealed, it shall be placed on the ballot at the next election or at a special election called for that purpose, as the council determines. If a majority of the voters voting thereon favor the ordinance, it shall go into effect immediately or on the date specified in the ordinance; if a majority of the electors voting thereon vote against the ordinance, it shall be considered repealed upon certification of the election results. If a petition is filed against an emergency ordinance, the ordinance shall remain in effect but shall be repealed if a majority of the voters voting on the ordinance vote against it.

CHAPTER SIX ADMINISTRATION OF CITY AFFAIRS

SECTION 6.01 ADMINISTRATIVE ORGANIZATION. The council may by ordinance establish city departments, offices, and agencies and prescribe their functions. No power or duty conferred by this charter upon a particular office or agency shall be transferred to any other.

SECTION 6.02 SUBORDINATE OFFICERS. There shall be a city clerk and such other officers as the council may establish by ordinance. The city clerk shall be subject to the direction of the council and shall have such duties in connection with the keeping of the public records, the custody and disbursement of the public funds, and the general administration of the city's affairs as the council may prescribe. The City Clerk may be designated to act as secretary of the council and also as treasurer. The council may by ordinance abolish offices which have been created by ordinance and it may combine the duties of various offices as it may see fit.

SECTION 6.03 PURCHASES AND CONTRACTS. All purchases shall be made and all contracts let by the council. Contracts shall be made in compliance with the uniform contracting law, and whenever competitive bids are required, the contract shall be let to the lowest responsible bidder. All contracts, bonds, and instruments of any kind to which the city is a party shall be signed by the mayor and the city clerk on behalf of the city and shall be executed in the name of the city. The council may by ordinance adopt further regulations for the making of bids and the letting of contracts.

CHAPTER SEVEN TAXATION AND FINANCES

SECTION 7.01 COUNCIL TO CONTROL FINANCES. The council shall have full authority over the financial affairs of the city. It shall provide for the collection of all revenues and other assets, the auditing and settlement of accounts, and the safekeeping and disbursement of public moneys.

SECTION 7.02 FISCAL YEAR. The fiscal year of the city shall be the calendar year.

SECTION 7.03 SYSTEM OF TAXATION. Subject to the state constitution and except as forbidden by it or by state law, the council shall have full power to provide by ordinance for a system of local taxation. This authority includes the power by ordinance to assess, levy, and collect taxes on all subjects or objects of taxation except as limited or prohibited by the state constitution, by this charter or by laws imposing restrictions upon the city irrespective of charter provisions.

SECTION 7.04 SUBMISSION OF THE BUDGET. Annually the city clerk shall submit to the council a recommended budget in accordance with a budget calendar to be established by ordinance or, in the absence of ordinance, by September 1.

The budget shall provide a complete financial plan for all city funds and activities for the ensuing fiscal year and, except as required by law or charter, shall be in such form as the clerk deems desirable or the council may require. It shall include a summary and show in detail all estimated income and all proposed expenditures, including debt service and comparative figures for the current fiscal year, actual and estimated, and the preceding fiscal year. In addition to showing proposed expenditures for current operations, it shall show proposed capital expenditures to



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be made during the year and the proposed method of financing each such capital expenditure. For each utility operated by the city, the budget shall show anticipated net surplus or deficit and the proposed method of its disposition; and subsidiary budgets for each such utility giving income and expenditure information shall be included or attached as appendices. The total proposed operating budget to be provided from the property tax shall not exceed the amounts authorized by law and this charter. Consistent with these provisions, the budget shall contain such information and be in the form prescribed by ordinance and by law.

SECTION 7.05 CAPITAL IMPROVEMENT PROGRAM. The clerk shall prepare and submit to the council a recommended five year capital improvement program no later than June 1 each year. The capital improvement program shall include a list of all capital improvements proposed to be undertaken during the next five fiscal years, with appropriate supporting information as to the necessity for such improvements; cost estimates, method of financing and recommended time schedules for each such improvement; and the estimated annual cost of operating and maintaining the facilities to be constructed or acquired. This information shall be revised and extended each year for capital improvements still pending or in process. The council shall hold a public hearing on the capital improvement program and adopt it with or without amendment no later than August 15. No capital improvement or expenditure shall be made inconsistent with the program adopted pursuant to this section.

SECTION 7.06 COUNCIL ACTION ON BUDGET. The budget shall be considered at the first regular monthly meeting of the council in September and at subsequent meetings until a budget is adopted for the ensuing year. The meetings shall be so conducted as to give interested

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citizens a reasonable opportunity to be heard. The council may revise the proposed budget but no amendment to the budget shall increase the authorized expenditures to an amount greater than the estimated income. The council shall adopt the budget not later than the first week of October by a resolution which shall set forth the total for each budgeted fund and each department with such segregation as to objects and purposes of expenditures as the council deems necessary for purposes of budget control. The council shall also adopt a resolution levying the amount of taxes provided in the budget and the clerk shall certify the tax resolution to the county auditor in accordance with law not later than October 10. Adoption of the budget resolution shall constitute appropriations at the beginning of the fiscal year of the sums fixed in the resolution for the several purposes named.

SECTION 7.07 ENFORCEMENT OF THE BUDGET. The City Council shall enforce strictly the provisions of the budget. They shall not authorize any payment or the incurring of any obligation by the city unless an appropriation has been made in the budget resolution and there is sufficient unexpended balance left after deducting the total past expenditures and encumbrances against the appropriation. No officer or employee of the city shall place any order or make any purchase except for a purpose and to the amount authorized in the budget resolution. Any obligation incurred by any person in the employ of the city for any purpose not authorized in the budget resolution or for any amount in excess of the amount authorized shall be a personal obligation upon the person incurring the obligation. No check shall be issued or transfer made to any account other than one owned by the city until the claim to which it related has been supported by an itemized bill, payroll, or time-sheet or other document

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approved and signed by the responsible city officer who vouches for its correctness and reasonableness.

SECTION 7.08 ALTERATIONS IN THE BUDGET. After the budget resolution has been adopted, the council shall not increase the amounts fixed in the resolution beyond the estimated receipts except to the extent that actual receipts exceed the estimate. At any time the council may by resolution approved by a majority of its members reduce the sums appropriated for any purpose by the budget resolution or authorize the transfer of sums from unencumbered balances of appropriations in the budget resolution to other purposes.

SECTION 7.09 FUNDS. There shall be maintained in the city treasury a general fund and such other funds as may be required by statute, ordinance, or resolution. The council may, by ordinance or resolution, make inter-fund loans, except from trust and agency funds, as it may deem necessary and appropriate.

SECTION 7.10 CITY INDEBTEDNESS. Except as provided in Sections 7.11 and 7.12, no obligations shall be issued to pay current expenses, but the council may issue and sell obligations for any other municipal purpose in accordance with law and within the limitations prescribed by law. Except in the case of obligations for which an election is not required by this charter or by law, no such obligations shall be issued and sold without the approval of the majority of the voters voting on the question at a general or special election.

SECTION 7.11 ANTICIPATION CERTIFICATES. At any time after January 1 the council may issue certificates of indebtedness in anticipation of state and federal aids and the collection of taxes levied the previous year for any fund and not yet collected. The total amount of certificates issued against any fund for any year together with

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interest thereon until maturity shall not exceed the total of state and federal aids and current taxes due to the fund and uncollected at the time of issuance. Such certificates shall be issued on such terms and conditions as the council may determine, but they shall become due not later than April 1 of the year following their issuance. The proceeds of the tax levied and such state or federal aids as the governing body may have allocated for the fund against which tax anticipation certificates are issued and the full faith and credit of the city shall be irrevocably pledged for the redemption of the certificates.

SECTION 7.12 EMERGENCY DEBT CERTIFICATES. If in any year the receipts from taxes or other sources should from some unforeseen cause become insufficient for the ordinary expenses of the city, or if any calamity or other public emergency necessitates the making of extraordinary expenditures, the council may by ordinance issue on such terms and in such manner as the council determines emergency debt certificates to run not to exceed three years. A tax sufficient to pay principal and interest on such certificates with the margin required by law shall be levied as required by law. The ordinance authorizing an issue of such emergency debt certificate shall state the nature of the emergency and be approved by at least 3 (three) members of the council. It may be passed as an emergency ordinance.

CHAPTER EIGHT PUBLIC IMPROVEMENTS AND SPECIAL ASSESSMENTS

SECTION 8.01 POWER TO MAKE IMPROVEMENTS AND LEVY ASSESSMENTS.

The city may make any type of public improvement not forbidden by law and levy special assessments to pay all or any part of the cost of such improvements as are of local character. The total assessments for any local improvement may not exceed the cost of the improvement, including all costs and expenses connected therewith, with interest. No assessment shall exceed the benefits to the property.

SECTION 8.02 ASSESSMENTS FOR SERVICES. The council may provide by ordinance that the cost of city services to streets, sidewalks or other public or private property may be assessed against property benefited and collected in the same manner as special assessments.

SECTION 8.03 LOCAL IMPROVEMENT PROCEDURE. When the city undertakes any local improvement to which the state local improvement code applies, it shall comply with the provisions of that law. The council may by ordinance prescribe the procedure to be followed in making any other local improvement and levying assessments therefor.

CHAPTER NINE EMINENT DOMAIN

SECTION 9.01 ACQUISITION OF PROPERTY. The city may acquire, by purchase, gift, condemnation, or otherwise, any property, either within or without its boundaries, that may be needed by the city for any public purpose. In acquiring property by exercising the power of eminent domain, the city shall proceed according to Minnesota Statutes, Chapter 117 or other applicable law.

## CHAPTER TEN FRANCHISES

SECTION 10.01 FRANCHISES REQUIRED. Except as otherwise provided by law, no person, firm, or corporation shall place or maintain any permanent or semi-permanent fixtures in, over, upon, or under any street or public place for the purpose of operating a public utility or for any other purpose, without a franchise therefor from the city. A franchise shall be granted only by ordinance, which shall not be an emergency ordinance. Every ordinance granting a franchise shall contain all the terms and conditions of the franchise. The grantee shall bear the costs of publication of the franchise ordinance and shall make a sufficient deposit with the clerk to guarantee publication before the ordinance is passed.

SECTION 10.02 TERM. No exclusive or perpetual franchise shall ever be granted. No franchise for a term exceeding twenty years shall be effective until approved by a majority of the electors voting thereon.

SECTION 10.03 PUBLIC HEARING. Before any franchise ordinance is adopted or any rates, fares, or prices to be charged by a public utility are fixed by the council, the council shall hold a public hearing on the matter. Notice of such hearing shall be published at least once in the official newspaper not less than ten days prior to the date of the hearing.

SECTION 10.04 POWER OF REGULATION RESERVED. Subject to any applicable law the council may by ordinance reasonably regulate and control the exercise of any franchise, including the maximum rates, fares, or prices to be charged by the grantee. No franchise value shall be included in the valuation of the grantee's property in regulating utility rates, fares, or prices under any applicable law, ordinance, or regulation or in proceedings for municipal

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acquisition of the grantee's property by purchase or eminent domain.

SECTION 10.05 RENEWALS OR EXTENSIONS. Every renewal or modification of a franchise, including an existing franchise, shall be subject to the same limitations and shall be granted in the same manner as a new franchise.



CHAPTER ELEVEN PUBLIC OWNERSHIP AND OPERATION OF UTILITIES

SECTION 11.01 ACQUISITION AND OPERATION OF UTILITIES. The city may own and operate any water, gas, light, power, heat, telephone, transportation, or other public utility for supplying its own needs for utility service or for supplying utility services to private consumers or other governmental agencies. It may construct all facilities reasonably needed for that purpose and may acquire any existing utility properties so needed. The city shall not acquire or construct any public utility unless the proposition to acquire or to construct it has been incorporated in an ordinance and adopted by the council. Such ordinance shall not be an emergency ordinance.

SECTION 11.02 REGULATIONS AND RATES. The council may by ordinance fix rates, fares, and prices for any municipal utility, prescribe the time and manner of payment for any such service, make such other regulations as may be necessary, and prescribe penalties for violation of such regulations.

SECTION 11.03 LEASE OF PLANT. The council may by ordinance contract with any person, firm, or corporation for the operation of any municipal utility for a term not to exceed ten years. Such ordinance shall not be an emergency ordinance.

SECTION 11.04 SALE OF PUBLIC UTILITY. No public utility owned by the city shall be sold or otherwise disposed of by the city unless the full terms of the proposition of sale or other disposition are embodied in an ordinance approved by a majority of the voters voting thereon at a general or special election. Any sale, lease, or abandonment of a water works or light plant shall be subject, in addition, to the requirements of state law.

CHAPTER TWELVE GENERAL PROVISIONS

SECTION 12.01 OFFICIAL PUBLICATION. The council shall annually at its first meeting of the year designate a legal newspaper of general circulation in the city as its official newspaper in which shall be published ordinances and other matters required by law to be so published as well as such other matters as the council may deem it in the public interest to have published in this manner.

SECTION 12.02 OATH OF OFFICE. Every elected or appointed officer of the city shall, before entering upon the duties of his/her office, take and subscribe an oath of office in substantially the following form: "I do solemnly swear (or affirm) to support the Constitution of the United States and of this state and to discharge faithfully the duties devolving upon me as (title of office) of the City of Ham Lake to the best of my judgment and ability."

SECTION 12.03 OFFICIAL BONDS. The city clerk, the city treasurer, and such other officers or employees of the city as may be specified by ordinance shall each, before entering upon the duties of their respective office or employment, give a corporate surety bond to the city as security for the faithful performance of his official duties and the safekeeping of the public funds. Such bonds shall be in such form and amount as the council determines and may be either individual or blanket bonds at the discretion of the council. They shall be approved by the city council and filed with the city clerk. The provisions of state laws relating to official bonds not inconsistent with this charter shall be complied with. The premiums on such bonds shall be paid by the city.

SECTION 12.04 OFFICIAL INTEREST IN CONTRACTS. Except as otherwise permitted by law, no officer of the city who is authorized to take

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part in any manner in any contract with the city shall voluntarily have a personal financial interest in or personally benefit from such contract.

SECTION 12.05 SALE OF REAL PROPERTY. No real property of the city shall be disposed of except by ordinance. The net cash proceeds of any sale of the property shall be used to retire any outstanding indebtedness incurred by the city in the acquisition or improvement of the property. Any remaining net proceeds shall be used to finance other improvements in the capital improvement budget or to retire any other bonded indebtedness.

SECTION 12.06 VACATION OF STREETS. The council may by ordinance approved by at least four (4) members of the council vacate any street or alley or other public grounds thereof within the city. Such vacation may be made only after published notice and an opportunity for affected property owners and public to be heard, and upon such further terms and by such procedure as the council by ordinance may prescribe. A notice of completion of such proceedings shall be filed with the proper county officers in accordance with law.

SECTION 12.07 CITY TO SUCCEED TO RIGHTS AND OBLIGATIONS OF FORMER CITY. The city shall succeed to all the property, rights, and privileges, and shall be subject to all legal obligations of the city under the former charter.

SECTION 12.08 EXISTING ORDINANCES CONTINUED. All ordinances and regulations of the city in force when this charter takes effect and not inconsistent with this charter are continued in full force and effect until amended or repealed.

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SECTION 12.09 PENDING CONDEMNATIONS, IMPROVEMENTS AND ASSESSMENTS.

Any condemnation, improvement, or assessment proceeding in progress when this charter takes effect shall be continued and completed under the laws under which such proceedings were begun. All assessments made by the city prior to the time when this charter takes effect shall be collected as if this charter had not been adopted.

SECTION 12.10 ORDINANCES TO MAKE CHARTER EFFECTIVE. The council shall by ordinance, resolution, or other appropriate action take such steps as may be necessary to make effective the provisions of this charter.

SECTION 12.11 PRESENT OFFICERS CONTINUED. All elected and appointed officers of the city holding office on the effective date of this charter shall continue in office for the terms to which they were elected or appointed and until their successors shall have been elected or appointed and have qualified. The council shall make such financial and other provisions for the fiscal year 1983 as will serve to carry on the government.

SECTION 12.12 This charter becomes effective 30 (thirty) days following election at which it was approved by at least 51% of the voters.

WE, the undersigned, being the duly appointed, qualified and acting members of the Charter Commission in and for the city of Ham Lake, Anoka County, Minnesota, hereby certify that the foregoing document consisting of Chapters one through twelve, inclusive, is the draft of a proposed charter prepared and framed by the Charter Commission, and we hereby affix our signatures to that draft in testimony of our approval thereof, and deliver the same to ANNE ROSELAND, the city clerk of the said city, for action pursuant to law.

Dale C. Steinke

Dale Steinke

Kenneth Braastad

Kenneth Braastad

Clarence F. Genz

Clarence Genz

Anne D. Roseland

Anne D. Roseland

Patricia Titterud

Patricia Titterud

Dennis J. Landberg

Dennis Landberg

Carl Anderson

Carl Anderson, Chairman

I, Anne D. Roseland, clerk of the city of Ham Lake Anoka County, Minnesota, hereby certify that the foregoing draft of a proposed charter and certificate in connection therewith was delivered to me this 4 day of October 1982.

Anne D. Roseland (M.C.)  
City Clerk