



July 13, 1987

Joan Anderson Growe  
Secretary of State  
180 State Office Building  
St. Paul 55155

Dear Secretary Growe:

Re: Home Rule Charter Amendment

Attached is a certified copy of Ordinance 1716-87 which was unanimously adopted May 4, 1987, by the St. Louis Park City Council. Also enclosed is a complete copy of the Charter (reprinted to include all amendments).

The ordinance amends various sections of the Charter and also deletes gender reference.

Section 410.11 of the Statutes provides that a newly adopted Charter shall be filed with the County Recorder. Does this apply to amendments? At \$10 minimum or \$1 per page, this is quite costly. I would appreciate a call at 924-2505.

Thank you very much.

Sincerely,

Beverly Flanagan  
City Clerk

bf  
enclosures

STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED  
JUL 15 1987

Joan Anderson Growe  
Secretary of State

P.S. 27518

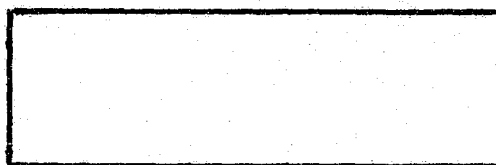
*I think we're going to  
love our optic scanners!!*



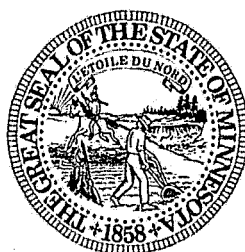
CITY OF ST. LOUIS PARK

# HOME RENTAL OFFICE

**THE  
PRECEDING**



**DOCUMENT(S)  
HAVE BEEN  
REFILMED  
FOR  
LEGIBILITY**





CITY OF ST. LOUIS PARK

**HOMER CHARTER**

## C O N T E N T S

Chapter	Page
1. Name, Boundaries, Powers and Construction.....	1-3
2. Government.....	4-7
3. Procedure of Council.....	8-11
4. Nominations and Elections.....	12-15
5. Administration of City Affairs.....	16-18
6. Taxation and Finance.....	19-26
7. Public Improvements and Special Assessments.....	27-28
8. Eminent Domain.....	29
9. Franchises and Public Utilities.....	30-32
10. Public Ownership and Operations of Utilities.....	33-34
11. Miscellaneous Provisions.....	35-37
12. Code of Ethics.....	38-46
13. Index.....	47-59
14. Amendments.....	60

Adopted December 7, 1954  
Effective January 7, 1955

Reprinted 1987

## TABLE OF CONTENTS

	Section
<b>Chapter 1 - Name, Boundaries, Powers and Construction.....</b>	
Preamble.....	1.00
Name and Boundaries.....	1.01
Powers of the City.....	1.02
City to Succeed to Rights & Obligations of Former Municipality.....	1.03
Application of General Laws.....	1.04
Charter a Public Act.....	1.05
<b>Chapter 2 - Government and Officers.....</b>	
Council - Manager plan.....	2.01
Boards.....	2.02
Elected Officers.....	2.03
Oath of Office.....	2.03 (b)
Disqualification for Appointive Office.....	2.04
Vacancies in the Council.....	2.05
The Mayor.....	2.06
Compensation.....	2.07
Investigation of City Affairs.....	2.08
Interference with Administration.....	2.09
<b>Chapter 3 - Procedure of Council.....</b>	
Council Meetings.....	3.01
Secretary of Council.....	3.02
Rules of Procedure and Quorum.....	3.03
Ordinances, Resolutions and Motions.....	3.04
Procedure on Ordinances.....	3.05
Emergency Ordinances.....	3.06
Signing and Publication of Ordinances and Publication of Minutes.....	3.07
When Ordinances and Resolutions Take Effect.....	3.08
Amendment and Repeal of Ordinances.....	3.09
Revision and Codification of Ordinances.....	3.10
<b>Chapter 4 - Nominations and Elections.....</b>	
General Election Laws To Apply.....	4.01
Regular Municipal Elections.....	4.02
Primary Elections.....	4.03
Special Elections.....	4.04
Judges and Clerks of Election.....	4.05
Nominations by Petition.....	4.06
Nomination Petitions.....	4.07
Canvass of Elections and Taking of Office...	4.08

## Section

### Chapter 5 - Administration of City Affairs....

The City Manager.....	5.01
Powers and Duties of the City Manager.....	5.02
Departments of Administration.....	5.03
Subordinate Officers.....	5.04
Oath of Office.....	5.04 (b)
Purchases and Contracts.....	5.05
Contracts - How Let.....	5.06
Further Purchase Regulations.....	5.07

### Chapter 6 - Taxation and Finance.....

Council To Control Finances.....	6.01
Power of Taxation.....	6.02
Board of Equalization.....	6.03
Preparation of Annual Budget.....	6.04
Passage of the Budget.....	6.05
Enforcement of the Budget.....	6.06
Alterations in the Budget.....	6.07
Emergency Appropriation in Budget.....	6.08
Levy and Collection of Taxes.....	6.09
Tax Settlement with County.....	6.10
Disbursements - How Made.....	6.11
Funds to be Kept.....	6.12
Receipts To Go to City Treasurer.....	6.13
Accounts and Reports.....	6.14
Bonded Debt and Debt Limit.....	6.15
Form and Repayment of Bonds.....	6.16
Debt and Tax Anticipation Certificates.....	6.17
Bonds Outside the Debt Limit.....	6.18

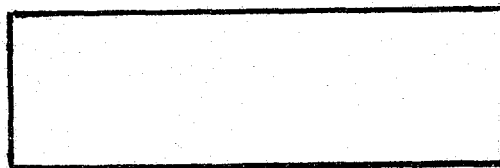
### Chapter 7 - Public Improvements and Special Assessments.....

The City Plan.....	7.01
Enforcement of City Plan.....	7.02
Public Improvements and Special Assessments.....	7.03
Local Improvements.....	7.04
Public Works - How Performed.....	7.05

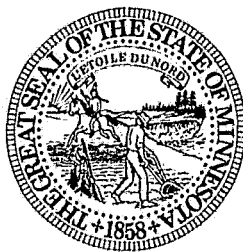
### Chapter 8 - Eminent Domain.....

Power to Acquire Property.....	8.01
Proceedings in Acquiring Property.....	8.02
Payment of Award.....	8.03
City May Abandon Proceedings.....	8.04
City May Acquire Entire Plant.....	8.05

**THE  
PRECEDING**



**DOCUMENT(S)  
HAVE BEEN  
REFILMED  
FOR  
LEGIBILITY**





## C O N T E N T S

Chapter	Page
1. Name, Boundaries, Powers and Construction.....	1-3
2. Government.....	4-7
3. Procedure of Council.....	8-11
4. Nominations and Elections.....	12-15
5. Administration of City Affairs.....	16-18
6. Taxation and Finance.....	19-26
7. Public Improvements and Special Assessments.....	27-28
8. Eminent Domain.....	29
9. Franchises and Public Utilities.....	30-32
10. Public Ownership and Operations of Utilities.....	33-34
11. Miscellaneous Provisions.....	35-37
12. Code of Ethics.....	38-46
13. Index.....	47-59
14. Amendments.....	60

Adopted December 7, 1954  
Effective January 7, 1955

Reprinted 1987

## T A B L E O F C O N T E N T S

	Section
<b>Chapter 1 - Name, Boundaries, Powers and Construction.....</b>	
Preamble.....	1.00
Name and Boundaries.....	1.01
Powers of the City.....	1.02
City to Succeed to Rights & Obligations of Former Municipality.....	1.03
Application of General Laws.....	1.04
Charter a Public Act.....	1.05
<b>Chapter 2 - Government and Officers.....</b>	
Council - Manager plan.....	2.01
Boards.....	2.02
Elected Officers.....	2.03
Oath of Office.....	2.03 (b)
Disqualification for Appointive Office.....	2.04
Vacancies in the Council.....	2.05
The Mayor.....	2.06
Compensation.....	2.07
Investigation of City Affairs.....	2.08
Interference with Administration.....	2.09
<b>Chapter 3 - Procedure of Council.....</b>	
Council Meetings.....	3.01
Secretary of Council.....	3.02
Rules of Procedure and Quorum.....	3.03
Ordinances, Resolutions and Motions.....	3.04
Procedure on Ordinances.....	3.05
Emergency Ordinances.....	3.06
Signing and Publication of Ordinances and Publication of Minutes.....	3.07
When Ordinances and Resolutions Take Effect.	3.08
Amendment and Repeal of Ordinances.....	3.09
Revision and Codification of Ordinances.....	3.10
<b>Chapter 4 - Nominations and Elections.....</b>	
General Election Laws To Apply.....	4.01
Regular Municipal Elections.....	4.02
Primary Elections.....	4.03
Special Elections.....	4.04
Judges and Clerks of Election.....	4.05
Nominations by Petition.....	4.06
Nomination Petitions.....	4.07
Canvass of Elections and Taking of Office...	4.08

	Section
<b>Chapter 5 - Administration of City Affairs....</b>	
The City Manager.....	5.01
Powers and Duties of the City Manager.....	5.02
Departments of Administration.....	5.03
Subordinate Officers.....	5.04
Oath of Office.....	5.04 (b)
Purchases and Contracts.....	5.05
Contracts - How Let.....	5.06
Further Purchase Regulations.....	5.07
<b>Chapter 6 - Taxation and Finance.....</b>	
Council To Control Finances.....	6.01
Power of Taxation.....	6.02
Board of Equalization.....	6.03
Preparation of Annual Budget.....	6.04
Passage of the Budget.....	6.05
Enforcement of the Budget.....	6.06
Alterations in the Budget.....	6.07
Emergency Appropriation in Budget.....	6.08
Levy and Collection of Taxes.....	6.09
Tax Settlement with County.....	6.10
Disbursements - How Made.....	6.11
Funds to be Kept.....	6.12
Receipts To Go to City Treasurer.....	6.13
Accounts and Reports.....	6.14
Bonded Debt and Debt Limit.....	6.15
Form and Repayment of Bonds.....	6.16
Debt and Tax Anticipation Certificates.....	6.17
Bonds Outside the Debt Limit.....	6.18
<b>Chapter 7 - Public Improvements and Special Assessments.....</b>	
The City Plan.....	7.01
Enforcement of City Plan.....	7.02
Public Improvements and Special Assessments.....	7.03
Local Improvements.....	7.04
Public Works - How Performed.....	7.05
<b>Chapter 8 - Eminent Domain.....</b>	
Power to Acquire Property.....	8.01
Proceedings in Acquiring Property.....	8.02
Payment of Award.....	8.03
City May Abandon Proceedings.....	8.04
City May Acquire Entire Plant.....	8.05

## Section

### Chapter 9 - Franchises.....

Definition of Franchises.....	9.01
Franchise Ordinances.....	9.02
Cost of Publication of Franchise.....	9.03
Power of Regulation Reserved.....	9.04
Rates and Charges.....	9.05
Provisions of Franchises.....	9.06
Further Provisions of Franchises.....	9.07
Renewals or Extensions of Franchises.....	9.08
Public Hearings.....	9.09

### Chapter 10 - Public Ownership and Operation of Utilities.....

Construction, Acquisition and Operation of Utilities.....	10.01
Rates and Finances.....	10.02
Purchase in Bulk.....	10.03
City To Pay for Services.....	10.04
Lease of Plant.....	10.05
Public Utility - How Sold.....	10.06

### Chapter 11 - Miscellaneous Provisions.....

Official Bonds.....	11.01
Sales of Real Property.....	11.02
Vacation of Streets.....	11.03
Damage Suits.....	11.04
Recovery of Judgement for Damages.....	11.05
Civil Service Commissions.....	11.06
City Officers Not To Accept Favors or Contracts	11.07

### Chapter 12 - Code of Ethics

Declaration of Policy.....	12.01
Definitions.....	12.02
Organization of Personal Campaign Committees.	12.03
Contributions.....	12.04
Use of Contributions.....	12.05
Campaign Reports.....	12.06
Records.....	12.07
Notice of Failure to File.....	12.08
Termination Report.....	12.09
Distribution.....	12.10
Penalty.....	12.11
Filing of Information.....	12.12
Family Interests.....	12.13
Exclusions.....	12.14
Time of Required Filing.....	12.15
Records.....	12.16
Penalty.....	12.17

Personal Financial Conflicts of Public Officials.....	12.18
Financial Conflicts of Associates of Public Officials; Contracts and Transactions Voidable.....	12.19
Gifts and Favors.....	12.20
Use of City Equipment and Facilities.....	12.21
Distribution.....	12.22

## CHAPTER 1

### Name, Boundaries, Powers and Construction

**Section 1.00 Preamble** Human freedom and human rights are indivisible and the recognition of equality of all people is indispensable in the administration of a just government. Written documents which govern our nation and state clearly proclaim the rights and responsibilities of the people in making these freedoms possible. It is proper that cities do also, for human rights denied to one are denied to all. We, the people of St. Louis Park, therefore, do hereby declare that equality of rights under the law shall not be abridged or denied by the City of St. Louis Park on the basis of race, color, creed, religion, national origin, gender, marital status, familial status, age, or status with regard to public assistance or disability. The following Charter is a declaration of the policy of the City of St. Louis Park, Minnesota.

**Section 1.01. Name and Boundaries.** Upon the taking effect of this charter, the Village of St. Louis Park in the County of Hennepin and State of Minnesota shall become a city under the name of the City of St. Louis Park, and shall continue to be a municipal corporation with boundaries the same as they now are established or as they may hereafter be established.

**Section 1.02. Powers of the City.** The City of St. Louis Park:

- shall have perpetual succession;
- may sue and be sued;
- may use and alter its seal at pleasure;
- shall be capable of contracting and being contracted with;
- may take by purchase, condemnation, gift, devise, or otherwise, and hold, lease, sell, and convey all such real and personal property as its purposes may require, or the transaction of its business may render convenient, within or without the limits of the City;
- may acquire, construct, own, lease, and operate public utilities and render public service of every kind;
- may grant franchises or licenses for the construction, operation and maintenance of public utilities in, over, upon, and under the streets and public places in the City, and shall have power to fix and regulate the fares, tolls, or charges which may be collected, the extensions which shall be made, and regulate the services which shall be rendered by any owner or operator of a public utility franchise or license;

may assess, levy, and collect taxes, for general or special purposes, on all subjects or objects which the City may lawfully tax;

may borrow money on the faith and credit of the City or on a public utility or other property owned by the City or the revenues therefrom, by the issuance and sale of bonds or certificates of indebtedness;

may appropriate the money of the City for all lawful purposes;

may provide for, construct, regulate, and maintain public works and local improvements;

may levy and collect assessments against real property within the City for local improvements and services including garbage and refuse collection and disposal;

may license and regulate persons, corporations, and associations engaged in any occupation, trade or business;

may define, prohibit, abate, and suppress all things detrimental to the health, morals, comfort, safety, convenience, and welfare of the inhabitants of the City, and all nuisances and causes thereof;

may regulate the construction, height, and materials used in all buildings, and the maintenance and occupancy thereof;

may regulate and control the use for whatever purposes of the streets and other public places; may make and enforce local police, sanitary, and other regulations;

may pass ordinances for maintaining and promoting the peace, good government, and welfare of the City, and for the performance of all the functions thereof;

shall have all the powers possessed by municipal corporations at common law;

shall have, retain and may exercise all powers, functions, rights, and privileges heretofore possessed by the Village of St. Louis Park;

may exercise such powers beyond its corporate limits as may be necessary for the effective exercise of any powers granted herein as now authorized by law;

and in addition thereto, the City of St. Louis Park shall have and exercise all powers, functions, rights, and privileges exercised by, or which are incidental to, or inherent in, municipal corporations and are not denied to it by the constitution or general laws of the State of Minnesota.

The enumeration of powers herein shall not be construed to limit or restrict the powers granted in general terms, nor shall any specific power granted in this charter be construed to limit or restrict the powers granted in this section. In addition to the powers herein and hereafter granted, the City of St. Louis Park shall have full power to deal with all matters of municipal concern and have complete self-government in harmony with and subject to the constitution and laws of the State of Minnesota.

**Section 1.03. City to Succeed to Rights and Obligations of Former Municipality.** The City of St. Louis Park shall remain vested with and continue to have, hold, and enjoy all property, property rights, rights of action, and rights of every kind, privileges, and immunities now belonging to or pertaining to the Village of St. Louis Park, and shall be subject to all liabilities which exist against said City on the effective date of this charter.

**Section 1.04. Application of General Laws.** All general laws and statutes of the state applicable to all cities operating under home rule charters, or applicable to cities of the same class as the City of St. Louis Park operating under home rule charters, and not inconsistent with the provisions of this charter, shall apply to the City of St. Louis Park and shall be construed as supplementary to the provisions of this charter. The City shall have all powers and authority granted by the laws of the state to municipalities to acquire property or exercise authority or powers beyond the corporate limits. All powers by this section conferred shall be exercised in conformance to this charter so far as may be possible, and such authority and power shall not authorize the City to incur any bonded debt beyond the limitations, or in any other manner than authorized by this charter.

**Section 1.05. Charter a Public Act.** This charter shall be a public act and need not be pleaded or proved in any case. It shall take effect thirty (30) days from and after its adoption by the voters (January 7, 1955).



## CHAPTER 2

### Government and Officers

**Section 2.01. Council-Manager Plan.** The form of government established by this charter shall be known as the "Council-Manager Plan." All discretionary powers of the City, both legislative and executive, shall vest in and be exercised by the City Council. It shall have complete control over the City administration, but shall exercise this control exclusively through the City Manager and shall not itself attempt to perform any administrative work.

**Section 2.02. Boards.** The Council shall itself be, and shall perform the duties and exercise the powers of all local boards and commissions, except as herein otherwise provided. It may, however, by ordinance create commissions with advisory powers to investigate any subject of interest to the municipality.

**Section 2.03 Elected Officers.** (a) The Council shall be composed of a Mayor and six Councilmembers who shall be qualified voters. The Mayor shall be elected at large for a four-year term. Two Councilmembers shall be elected at large for terms of four years each, except that the office elected at large in 1983 shall be designated "Councilmember at Large A," and shall be elected for a four-year term. The office elected at large in 1985 shall be designated "Councilmember at Large B," and shall be elected for a two-year term. In 1987 and thereafter, the separate offices of Councilmember at Large "A" and Councilmember at Large "B" shall each be elected to four-year terms.

Four Councilmembers shall be elected for four-year terms from the City's four separate wards, except the Ward II and Ward IV Councilmembers elected in 1983 shall each be elected for two-year terms; in 1985 and thereafter these offices shall be elected to four-year terms. The Councilmember elected from a ward must be a resident of such ward. Should that member cease to be a of such ward, there then exists a vacancy in the office of Councilmember from said ward; excepting that a change in ward boundaries during the term of office shall not disqualify the member from serving out the term.

The term of Mayor and of each Councilmember shall begin on the first regularly scheduled meeting in the month following the month in which the regularly scheduled municipal election is held, as specified in Section 4.02 of this Charter, and shall end when a successor has been duly elected and has qualified. The Council shall be the judge of the election of its members.

The City shall be divided into four separate wards, the boundaries of which shall be established from time to time by ordinances duly adopted by the Council, and based on findings of the Council that the wards so established are of as near equal size in both population and area as practicable. After each decennial census of the United States, the Council shall redetermine ward boundaries, and, if the Council shall fail to do so within a period of two years after the official certification of the decennial census, no further remuneration shall be paid to the Mayor or Councilmembers until the wards of the City are duly redetermined as required by this charter.

(b) Oath of Office. Every officer of the City shall, before entering upon the duties of this 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 the State of Minnesota, and to discharge faithfully the duties devolving upon me as (mayor or councilmember) of this City to the best of my judgment and ability."

**Section 2.04.. Disqualification for Appointive Office.** No member of the Council shall be appointed City Manager, or acting City Manager, nor shall any member hold concurrently any other paid municipal office or employment under the City. Until one year after the expiration of the term as Mayor or Councilmember, no former member shall be appointed to any paid office or employment under the City other than Mayor or Councilmember which office or employment was created or the emoluments of which were increased during his/her term as Councilmember.

**Section 2.05. Vacancies in the Council.** A vacancy in the Council shall be deemed to exist in case of the failure of any person elected thereto to qualify on or before the date of the second regular meeting of the new Council, or by reason of the death, resignation, removal from office, removal from the City, removal of a ward Councilmember from his/her ward, continuous absence from the City for more than three months, or conviction of a felony of any such person whether before or after his/her qualification, or by reason of the failure of any Councilmember without good cause to perform any of the duties of membership in the Council for a period of three months. In each such case, the Council shall forthwith by resolution declare such vacancy to exist and appoint an eligible person to fill the vacancy. The term of the person so appointed shall extend to the first regularly scheduled meeting in the month following the month in which the regularly scheduled municipal election is held, as specified in Section 4.02 of this Charter, provided that if such vacancy occurs less than 120 days prior to the next regular City or State election, and the unexpired term extends more than one year, the term of the person so appointed shall extend to the first regularly scheduled meeting in the month following the month in which the regularly scheduled municipal election is held, as specified in Section 4.02 of this Charter. If such a vacancy occurs 120 days or more prior to a regular State election, the Council shall call a special election to be held concurrently with the State election within the City; if the office is Mayor or Councilmember at Large; and within the ward affected if the office is a Ward Councilmember, for the purpose of electing an eligible person to fill the unexpired term following expiration of the term of the person appointed by the Council in the interim.

**Section 2.06. The Mayor.** The Mayor shall be the presiding officer of the Council, except that a mayor pro tem shall be chosen to hold office at the pleasure of the Council, who shall act as Mayor in case of the Mayor's disability or absence from the City. The Mayor shall vote as a member of the Council. The Mayor shall exercise all powers and perform all duties conferred and imposed upon the Mayor by this charter, the ordinances of the City and laws of the State. The Mayor shall be recognized as the official head of the City for all ceremonial purposes, by the courts for the purpose of serving civil process, and by the governor for the purposes of martial law.

The Mayor shall study the operations of the City government and shall report to the Council any neglect, dereliction of duty, or waste on the part of any officer or department of the City. In time of public danger or emergency the Mayor may, with the consent of the Council, take command of the police, maintain order and enforce the law.

**Section 2.07. Compensation.** (a) The Council shall set and may by ordinance increase or decrease the salaries of the Mayor and Councilmembers in a reasonable manner; provided, however, that no such ordinance shall be adopted increasing or decreasing any such salary until a public hearing has been held thereon after publication of a notice setting forth the proposed ordinance and the time and place of the hearing with respect thereto in the official newspaper at least one week in advance of such hearing. No such ordinance increasing or decreasing any such salary shall become effective before the first day in December following the next municipal election, or such later date as is fixed in the ordinance; and if, within thirty days after approval of such ordinance increasing or decreasing any such salary, a petition asking for a referendum on such ordinance is signed by registered voters equal in number to 15% of those who voted at the last regular municipal election and is filed with the City Clerk, such ordinance shall not go into effect until it is first approved by a majority of those voting thereon at a regular or special City election.

(b) When authorized by the Council, its members shall be remunerated for their reasonable expenses incurred in connection with the City's business.

(c) The City Manager and all subordinate officers and employees of the City shall receive such reasonable compensation as may be fixed by the Council.

**Section 2.08. Investigation of City Affairs.** The Council shall have power to make investigations into the City's affairs, to subpoena witnesses, administer oaths, and compel the production of books, papers, and other documentary evidence. The Council may at any time provide for an examination or audit of the accounts of any officer or department of the City government, or it may cause to be made any survey or research study of any problem affecting the City or its inhabitants. Each such investigation shall be authorized by resolution of the Council.

**Section 2.09. Interference with Administration.** Except for the purpose of inquiry, the Council and its members shall deal with and control the administrative services solely through the City Manager, and neither the Council nor any member thereof shall give orders to any of the subordinates of the City Manager, either publicly or privately. If this section is violated by any member or members of the City Council, such violation shall result in the public censure by the Council of the offending party or parties, and shall, in addition, result in the imposition of a fine to be paid to the City in an amount equal to one month's compensation payable to such member or members in performance of duties as a Councilmember at the time of violation. The determination as to whether any violation of the provisions of this section has occurred shall be made by the Council pursuant to its own inquiry and by a two-thirds (2/3) majority of the entire Council excluding the Councilmember or members being charged with the violation.

## CHAPTER 3

### Procedure of Council

**Section 3.01. Council Meetings.** On the first regularly scheduled meeting in the month following the month in which the regularly scheduled municipal election is held, as specified in Section 4.02 of this Charter, the Council shall meet at the City Hall at the usual time for the holding of Council meetings. At this time, the newly elected members of the Council shall assume their duties. Thereafter the Council shall meet at such times as may be prescribed by resolution, except that it shall meet at a fixed time not less than once a month. The Mayor or any three members of the Council may call special meetings of the Council upon at least twelve hours' notice to each member of the Council. Such notice shall be delivered personally to each member or be left at the member's usual place of residence with a person of suitable age and discretion then residing therein, or written notice thereof shall be left in a conspicuous place at the residence if no such person be found there. The presence of any member of the Council at a special meeting shall constitute a waiver of any formal notice unless the Councilmember appears for the special purpose of objecting to the holding of such meeting. The Council may provide by ordinance a means by which a minority may compel the attendance of absent members. All meetings of the Council shall be public and any person shall have access to the minutes and records thereof at all reasonable times. The Mayor and each Councilmember shall have one vote.

**Section 3.02. Secretary of Council.** The Council shall choose a secretary and such other officers and employees as may be necessary to serve at its meetings. The secretary shall keep the journal of minutes or proceedings and such other records and perform such other duties as may be required by this charter or by vote of the Council. The Council may designate any official or employee of the City, except the City Manager or 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, and shall keep a journal of its proceedings. A majority of all the Council members shall constitute a quorum to do business, but a smaller number may adjourn from time to time.

**Section 3.04. Ordinances, Resolutions and Motions.** Except as otherwise provided in this charter, all legislation shall be by ordinance. Every ordinance and resolution shall be presented in writing and read in full at a Council meeting; provided, however, that the reading of a resolution or an ordinance may be dispensed with by unanimous consent. All administrative business may be transacted by ordinary motion. Upon the vote on ordinances, motions, and resolutions the ayes and noes shall be recorded unless the vote is declared unanimous. A majority vote (four) of all of the members of the Council shall be required for the passage of all ordinances, motions, and resolutions except as otherwise provided in this charter.

**Section 3.05. Procedure on Ordinances.** The enacting clause of all ordinances passed by the Council shall be in the words, "The City of St. Louis Park does ordain." Every ordinance other than emergency ordinances shall have two public readings in full, except as provided in Section 3.04, and at least seven days shall elapse between the first reading or waiver thereof and second reading or waiver thereof. All legislation prescribing a penalty for violation thereof shall be enacted in the form of ordinances.

**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, passed by a vote of at least five members of the Council, as recorded by ayes and noes. No prosecution shall be based upon the provisions of any emergency ordinance until the same has been filed with the City Clerk and posted in three conspicuous places in the City and twenty-four hours after such filing and posting shall have elapsed or until the ordinance has been published unless the person, persons, firm, or corporation charged with violation thereof shall have had actual notice of the passage thereof prior to the act or omission complained of. Every emergency ordinance shall automatically stand repealed as of the sixty-first (61st) day following the date on which it was adopted, but this shall not prevent reenactment of the ordinance in the manner specified in this section if the emergency still exists. No grant of any franchise shall ever be made by an emergency ordinance.

**Section 3.07. Signing and Publication of Ordinances and Publication of Minutes.** (a) **Official Publications.** The Council shall regulate by ordinance, subject to the requirements of this charter, the manner in which official publicity shall be given to the holding of elections, ordinances, resolutions, requests for bids upon contemplated purchases and contracts, and all other matters whatsoever which require publication either by the provisions of this charter or by the laws of Minnesota. It shall annually designate a legal newspaper of general circulation in the City as the official newspaper in which shall be published such measures and matters as are by the laws of this state and this charter required to be so published, and such other matters as the Council may deem it advisable and in the public interest to have published in this manner. The Council may in its discretion, in addition to the publications required by this charter, provide for the publication of the annual budget, ordinances, resolutions, election notices, and such other measures and matters as it may deem wise, by mailing or the posting of typewritten, mimeographed, photocopied, or printed copies thereof upon bulletin boards located in public places of the City in such number and for such period of time as the Council may direct in each case. Nothing herein contained shall be construed as authorizing or attempting to authorize any violation of the constitution or the statutes of the state in any matter which is of state concern or which is exclusively under state control.

(b) Every ordinance passed by the Council shall be signed by the Mayor, or by three other members of the Council, and attested to by the City Clerk upon passage thereof and shall be by the City Clerk filed and recorded in a book kept for that purpose and preserved. Every ordinance shall be published at least once in the official newspaper of the City. If the 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 direct that only the title of the ordinance and a summary be published with notice that a full printed copy of the ordinance is available for inspection with the City Clerk. 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. All resolutions and motions duly passed at each meeting of the Council may, at the discretion of the Council, be published in full or in part in the official newspaper of the City. Any administrative rule or regulation of any department of the State of Minnesota affecting the City, or any statute of the State of Minnesota, or any published code, specifications, or regulations prepared by an official or unofficial organization for general circulation and use may be adopted and incorporated in an ordinance by reference thereto and by marking three copies thereof as "official copies" and filing them for reference and inspection in the office of the City Clerk, and the publication



requirements of this charter shall be as fully satisfied in such cases by this method as if the said material had been set forth in the ordinance in full.

**Section 3.08. When Ordinances and Resolutions Take Effect.** Emergency ordinances, except as provided in Section 3.06 of this chapter, and ordinances making the annual tax levy, disbursing money, determining the annual budget, and providing for local improvements and assessments, shall take effect immediately upon their passage. All other ordinances enacted by the Council shall take effect fifteen days after the date of their publication, unless a later effective date is fixed therein. All resolutions shall take effect upon their passage.

**Section 3.09. Amendment and Repeal of Ordinances.** No ordinance or section thereof shall be amended or repealed except by ordinance. Every ordinance repealing all or part of an ordinance shall refer to the ordinance repealed by title, date of passage, and section number or numbers. Every ordinance repealing any section or subsection of the City ordinance code shall refer to the section or subsection being repealed by section number or numbers. No ordinance or section thereof shall be amended by reference to its title alone, but such amending ordinance shall set forth in full each section or subsection as amended; provided, however, that this requirement shall not apply to amendments to zoning ordinances.

**Section 3.10. Revision and Codification of Ordinances.** The ordinances of the City shall within five years from the adoption of this charter, and at intervals thereafter of not more than ten years, be revised, rearranged, and codified with such additions and deletions as may be deemed necessary by the Council. Such codification shall be published in book or continuously revised loose-leaf form and copies thereof made available by the Council at the office of the City Clerk for general distribution to the public at a reasonable charge. Such publication shall be a sufficient publication of all the ordinances contained therein. Every book shall contain a printed certificate of the Mayor, attested to by the City Clerk, that the publication is correct; and such book so published shall be received in evidence in all courts for the purpose of proving the ordinances therein contained, the same as though the original ordinances were produced in court.



## CHAPTER 4

### Nominations and Elections

**Section 4.01. General Election Laws to Apply.** Except as hereinafter provided, the general laws of the State of Minnesota pertaining to registration of voters and the conduct of primary and general elections shall apply for all municipal elections of such officers as are specified in this charter. The Council shall, through ordinances duly adopted in compliance with such state laws and this charter, adopt suitable and necessary regulations for the conduct of such elections.

**Section 4.02. Regular Municipal Election.** A regular municipal election shall be held on the first Tuesday after the first Monday in November, 1967, and on the same day every two years thereafter, at such place or places as the City Council may designate by resolution. The Council may divide the City into as many voting precincts as it may from time to time deem necessary. Each ward shall constitute at least one voting precinct and no precinct shall be in more than one ward. At least fifteen days' notice shall be given by the City Clerk of the time and places of holding such election, and of the officers to be elected by posting a notice thereof in at least one public place in each voting precinct and by publishing a notice thereof at least once in the official newspaper of the City, but failure to give such notices shall not invalidate such election.

**Section 4.03. Primary Elections.** The Council shall, whenever three or more candidates have filed for any City-wide office, or for Councilmember of any ward, or wards, provide through ordinance or resolution for a primary election to be held, City-wide or in any particular ward, or wards, and such primary election shall be held on a date six (6) weeks prior to the general City election. At least fifteen days' notice shall be given by the Clerk of the time and places of holding such election, and of the officers to be elected by posting a notice thereof in at least one public place in each voting precinct where the election is held, and by publishing a notice thereof at least once in the official newspaper of the City, but failure to give such notice shall not invalidate such election.

**Section 4.04. Special Elections.** The Council may by resolution order a special election, fix the time of holding the same, and provide all means for holding such special election, provided that three weeks' published notice be given of said special election. The procedure at such elections shall conform as nearly as possible to that herein provided for other municipal elections.

**Section 4.05. Judges of Election.** The Council shall at least twenty-five (25) days before each municipal election appoint three qualified voters to be judges of election for each precinct, or as many more as may be determined by the Council.

**Section 4.06. Nomination by Petition.** The mode of nomination of all elective officers provided for by this charter shall be by petition. The name of any elector of the City shall be printed upon the ballot whenever a petition as hereinafter prescribed shall have been filed in his/her behalf with the City Clerk. Such petition shall be signed by at least fifteen currently registered electors qualified to vote for the office in question. No elector shall sign petitions for more candidates than the number of places to be filled at the election, and should the elector do so his/her signature shall be void as to the petition or petitions last filed. All nomination petitions shall be in the hands of the City Clerk at least ninety (90) days before the general city election. The Clerk shall prepare the ballots with names of the candidates for an office in a manner provided by ordinance. Each petition, when presented, must be accompanied by a twenty dollar (\$20) filing fee.

**Section 4.07. Nomination Petitions.** The signatures to the nomination petition need not all be appended to one paper, but to each separate paper there shall be attached an affidavit of the circulator thereof stating the number of signers of such paper and that each signature appended thereto was made in the circulator's presence and is the genuine signature of the person whose name it purports to be. With each signature shall be stated the place of residence of the signer, giving the street and number or other description sufficient to identify the same. The nominee shall indicate by an endorsement upon the petition that he/she will accept the office if elected thereto. The form of the nomination petition shall be substantially as follows:

### NOMINATION PETITION

We, the undersigned, electors of the City of St. Louis Park, hereby nominate \_\_\_\_\_, whose residence is \_\_\_\_\_, for the office of \_\_\_\_\_ to be voted for at the election to be held on the \_\_\_\_\_ day of \_\_\_\_\_; and we individually certify that we are qualified electors and that we have not signed more nomination petitions of candidates for this office than there are persons to be elected thereto.

Name

Street and Number

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_, being duly sworn, deposes and says that he/she is the circulator of the foregoing petition paper containing signatures, and that the signatures appended thereto were made in the circulator's presence and are the genuine signatures of the persons whose names they purport to be.

Signed \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_.

This petition, if found insufficient by the City Clerk, shall be returned to \_\_\_\_\_ at Number \_\_\_\_\_ Street.

I hereby indicate my willingness to accept the office of \_\_\_\_\_ if duly elected thereto.

**Section 4.08. Canvass of Elections and Taking of Office.**  
The Council shall meet and canvass the election returns within seven days after any regular or special elections, and shall make full declaration of the results as soon as possible, and file a statement thereof with the City Clerk, and said statement shall be made part of the minutes. This statement shall include:

- (a) the total number of good ballots cast;
- (b) the total number of spoiled or defective ballots;
- (c) the vote for each candidate with a declaration of those who were elected;
- (d) a true copy of the ballots used;
- (e) the names of the judges and clerks of election;
- (f) such other information as may seem pertinent.

The City Clerk shall forthwith notify all persons elected of the fact of their election, and the persons elected shall take office at the time provided for by Section 3.01, upon taking, subscribing, and filing with the City Clerk the required oath of office.

## CHAPTER 5

### Administration of City Affairs

**Section 5.01. The City Manager.** The City Manager will be the chief administrative officer of the City. The Manager shall be chosen by the Council solely on the basis of training, experience, and administrative qualifications. The choice shall not be limited to inhabitants of the City or state. candidates The City Manager shall be appointed for an indefinite period and be removed by the Council at will, provided, however, that if removed at any time after three years of service the City Manager may within fifteen days after said removal demand written charges and a public hearing on the same before the Council; but pending and during such hearing the Council may suspend the City Manager from office, with or without pay. Such public hearing shall take place within thirty days after the demand for the same and the written charges shall be furnished to the City Manager by the Council at least ten days before the hearing. During the suspension, absence, or disability of the City Manager, the duties of this office shall be performed by some properly qualified person designated by the Council as acting Manager.

**Section 5.02. Powers and Duties of the City Manager.** Subject to the provisions of this charter and any regulations consistent therewith which may be adopted by the Council, the City Manager shall control and direct the administration of the City's affairs. The powers and duties of the City Manager shall be:

(a) To enforce this charter and the laws, ordinances, and resolutions of the City;

(b) To appoint with the consent and approval of the Council all department heads and subordinate officers as set forth in Section 5.04 in the City charter; to appoint all other employees; to remove for cause, with the consent and approval of the Council, all permanent employees;

(c) To exercise control over all departments and divisions of the City administration created by this charter or which may be hereafter created by the Council;

(d) To attend all meetings of the Council, with the right to take part in the discussions but having no vote; but the Council may at its discretion exclude the City Manager from meetings at which removal of the City Manager is considered;

(e) To recommend to the Council for adoption such measures as may be deemed necessary for the welfare of the people and the efficient administration of the City's affairs;

(f) To keep the Council fully advised as to the financial condition and the needs of the City, and to prepare and to submit to the Council the annual budget;

(g) To perform such other duties as may be prescribed by this charter or required of the City Manager by ordinances or resolutions adopted by the Council.

**Section 5.03. Departments of Administration.** The Council may create such offices, departments, divisions, and bureaus for the administration of the City's affairs as may seem necessary, and from time to time alter the powers and organization of the same. It may enact in the form of an ordinance such administrative code for the City as may seem necessary and may amend the same from time to time.

**Section 5.04. Subordinate Officers.**

(a) There shall be a City Clerk, City Treasurer, City Attorney, and such other officers subordinate to the City Manager as the Council may provide for by ordinances. The City Attorney shall be appointed by the Council. The City Clerk shall be subject to the direction of the City Manager 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 shall be ordained by the Council. The City Clerk may be designated to act as secretary of the Council. 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.

(b) **Oath of Office.** Officers of the City shall, before entering upon the duties of offices, 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 the State of Minnesota, and to discharge faithfully the duties devolving upon me as (city manager, etc.) of this City to the best of my judgment and ability."

**Section 5.05. Purchases and Contracts.** The City Manager shall be the chief purchasing agent of the City. All purchases on behalf of the City shall be made, and all contracts let, by the City Manager, provided that the approval of the Council must be given whenever the amount of such purchase or contract exceeds \$15,000. All contracts, bonds, and instruments of every kind to which the City shall be a party shall be signed by the Mayor on behalf of the City as well as by the City Manager, and shall be executed in the name of the City.

**Section 5.06. Contracts - How Let.** In all cases of contracts for the purchase of merchandise, materials, equipment, or for any kind of construction work undertaken by the City, which require an expenditure of more than \$15,000 unless the Council shall by an emergency ordinance otherwise provide, the City Manager shall advertise for bids by at least one week's published notice in the official newspaper. Contracts and purchases in excess of \$15,000 shall be let to the lowest responsible bidder as determined by the Council. The Council may, however, reject any and all bids. Nothing contained in this section shall prevent the Council from contracting for work with patented processes or from the purchasing of patented appliances.

**Section 5.07. Further Purchase Regulations.** Further regulations for the making of bids and the letting of contracts may be made by ordinance, subject to the provisions of this charter.

## **CHAPTER 6**

### **Taxation and Finance**

**Section 6.01. Council to Control Finances.** The Council shall have full authority over the financial affairs of the City, and shall provide for the collection of all revenue and other assets, the auditing and settlement of accounts, and the safekeeping and disbursement of public monies. In the exercise of a sound discretion, it shall make provisions for the payment of all liabilities and expenses. The Council shall establish the fiscal year for the City.

**Section 6.02. Power of Taxation.** The City shall have, in addition to the powers by this charter expressly or impliedly granted, all the powers to raise money by taxation pursuant to the laws of the State which are generally applicable to cities or are specifically applicable to the cities of the class of which it may be member from time to time.

**Section 6.03. Board of Equalization.** The Council shall constitute a board of equalization and shall meet as such in the usual place for holding Council meetings on the first Monday in June to equalize the assessed valuations according to law. A majority of the members may act at such meeting and recess from day to day until they finish their statutory requirements. The length of their sessions shall not exceed 20 calendar days from date of convening. A published notice of such meeting shall be given in the official newspaper of the City at least ten days prior to the day of said meeting.

**Section 6.04. Preparation of Annual Budget.** The City Manager shall prepare the estimates for the annual budget which shall include any estimated deficit for the current year. The estimates of expenditures shall be submitted by each department to the City Manager. Each estimate shall be divided into categories as required by the Council and the City Manager.

In parallel columns shall be added the amounts expended under similar heads for the two preceding fiscal years, and, as far as practicable, the amounts expended and estimated for expenditures during the current year. In addition to estimates of expenditures, the City Manager shall prepare a detailed statement of revenues collected for the two preceding completed fiscal years with amounts estimated to be collected for the current fiscal year and an estimate of revenues for the ensuing fiscal year. The estimates shall be submitted to the Council not later than the first regular monthly meeting in September. The City Manager shall submit with estimates such explanatory statement or statements as may be deemed necessary.



**Section 6.05. Passage of the Budget.** The budget shall be considered at the first regular monthly meeting of the Council in September, and the Council shall hold subsequent meetings from time to time until all the estimates have been considered. The meetings shall be so conducted as to give interested citizens a reasonable amount of time in which to be heard and an opportunity to ask questions. The budget estimates shall be read in full, and the City Manager shall explain the various items thereof as fully as may be deemed necessary by the Council. The annual budget finally agreed upon shall set forth in such details as may be determined by the City Council the complete financial plan of the City for the ensuing fiscal year. It shall indicate the sums to be raised and from what sources, and the sums to be spent, and for what purposes, according to the plan indicated in Section 6.04. The total sum appropriated shall not exceed the total estimated revenue. The Council shall adopt the budget prior to October 10 by ordinance which shall set forth the total of the budget and the totals of the major divisions of the budget, according to the plan indicated in Section 6.04.

**Section 6.06. Enforcement of the Budget.** It shall be the duty of the City Manager to enforce strictly the provisions of the budget. The City Manager shall not approve any order for any expenditure unless an appropriation has been made in the budget, nor for any expenditure covered by the budget unless there is sufficient unencumbered balance left after deducting the total past expenditures and the sum of all outstanding orders and encumbrances. No officer or employee of the City shall place any order or make any purchases except for the purposes and to the amounts authorized in the budget. Any obligation incurred by any person in the employ of the City for any purpose not authorized in the budget or for any amount in excess of the amount therein authorized shall be a personal obligation upon the person incurring the expenditure.

**Section 6.07. Alterations in the Budget.** After the budget shall have been duly adopted, the Council shall not have power to increase the amounts therein fixed, whether by the insertion of new items or otherwise, beyond the estimated revenues, unless the actual receipts shall exceed such estimates, and in that event not beyond such actual receipts. The sums fixed in the budget shall be and become appropriated at the beginning of the fiscal year for the several purposes named therein, and no other. The Council may at any time, by ordinance passed by a vote of at least five members of the Council, reduce salaries or reduce the sums appropriated for any purpose by the budget, or by vote of at least five members of the Council authorize the transfer of sums from the unexpended balances of the budget to other purposes.

**Section 6.08. Emergency Appropriation in Budget.** The Council shall have power to establish an emergency appropriation as a part of the budget, but not to exceed ten percent of the total budget. Transfers from the emergency appropriation to any other appropriation shall be made only by a vote of at least five members of the Council. The sums transferred to the several departments or divisions shall be considered as part of such appropriations and shall be used only for the purposes designated by the Council.

**Section 6.09. Levy and Collection of Taxes.** Each year the Council shall levy by resolution and in the manner provided by law the taxes necessary to meet the requirements of the budget for the ensuing fiscal year. The City Clerk shall transmit to the County Auditor annually a statement of all the taxes levied, and such taxes shall be collected and the payment thereof be enforced with and in like manner as state and county taxes. No tax shall be invalid by reason of any informality in the manner of levying the same, nor because the amount levied shall exceed the amount required to be raised for the special purpose for which the same is levied, but in that case the surplus shall go into a suspense fund, and shall be used to reduce the levy for the ensuing year.

**Section 6.10. Tax Settlement with County.** The Director of Finance shall ensure that all monies in the county treasury belonging to the City are promptly turned over to the City according to law.

**Section 6.11. Disbursements - How Made.** All disbursements shall be made only upon the order of the City Manager and City Clerk, duly authorized by a resolution or motion of the Council, and every such order shall specify the purpose for which the disbursement is made, and indicate the fund out of which it is to be paid. No claim against the City shall be allowed unless accompanied by either an itemized bill, or a payroll, or time sheet, each of which shall be approved and signed by the responsible City officer who vouches for the correctness and reasonableness thereof. The Council may by ordinance make additional regulations for the safekeeping and disbursement of the City's funds. The Council may by resolution or motion provide for the regular payment without specific individual authorization by the Council of salaries and wages of regular employees, laborers, and fixed charges which have been previously duly and regularly incurred.

**Section 6.12. Funds to be Kept.** There shall be maintained in the City treasury the following funds:

(a) A general fund for the payment of such expenses of the City as the Council may deem proper. Into this fund shall be paid all money not provided herein or by statute to be paid into any other fund.

(b) A debt service fund, into which shall be paid all receipts from taxes or other sources for the payment of principal and interest of all obligations issued by the City except bonds issued on account of any local improvement to be financed wholly or partly by special assessments and bonds issued on account of any municipally owned utility. Out of this fund shall be paid the principal and interest of such obligations when due. Any surplus in such fund not needed immediately for debt service may be invested under the direction of the Council in such securities as are authorized by statute for the investment of such funds; and such investments may be liquidated at any time.

(c) A capital project fund, into which shall be paid and disbursed the proceeds of all bonds issued by the City except bonds issued on account of any local improvement to be financed wholly or partly by special assessments and bonds issued on account of any municipally owned utility. A separate bond account shall be kept for each issue of such bonds.

(d) A special assessment fund, which shall be used to finance local improvements that are to be paid for, in whole or in part, from special assessments against benefitted property. There shall be paid into this fund:

1. collections of special assessments, with interest, levied against benefitted property;
2. proceeds of bonds or certificates of indebtedness sold by the City in anticipation of assessment collections; and the proceeds of inter-fund loans;
3. amounts from other City funds representing either (a) apportionments of costs against the city at large, (b) benefit assessments against city property, or (c) appropriations to maintain the integrity of the fund.

There shall be paid out of this fund:

1. all expenses and costs of the improvement projects that are financed through the fund;
2. the redemption of all special assessment fund bonds and certificates of indebtedness, with interest, at or before maturity; and any inter-fund loans;
3. transfers to the general fund of any unencumbered surplus of the fund, in the discretion of the Council; and
4. abatements of assessments and refunds of receipts in error.

The Council shall maintain the integrity of this fund by appropriations from tax funds if necessary, and, in addition, may by ordinance create and maintain in the fund a cash reserve sufficient for working capital purposes. In order to anticipate the collection of special assessments, the Council may, by a majority vote, issue and sell bonds and certificates of indebtedness, pledging the full faith and credit of the City, or pledging only special assessments, in such amounts and maturities as it may determine, regardless of the provisions of Section 6.16 of this chapter; provided that the aggregate amount of such bonds and certificates outstanding at any time shall not exceed the sum of the following:

- (1) all assessments levied and uncollected;
- (2) assessable cost of work in progress; and
- (3) the cash reserve for working capital as previously determined by ordinance.

In order that the fund may be administered on a self-sustaining basis, all improvement projects financed through it shall upon completion be certified by the City Manager as to total cost, which shall thereupon be apportioned by the Council either as assessments against benefitted property or as amounts due from other City funds. Amounts apportioned against other City funds shall be due not later than the dates of adoption of the corresponding assessment rolls, shall be charged interest, as in the case of assessments, and shall be paid into the fund, with any interest due, not later than one year after the due dates.

(e) A public utility fund into which shall be paid all money derived from the sale of bonds issued on account of any utility services, and from the sale of any property acquired for or used in connection with any such utility. There shall be paid out of this fund the cost of the purchase, construction, operation, maintenance, and repair of such utility, including the principal of and interest upon obligations which have been or shall be issued on its account. Separate accounts within the public utility fund shall be kept for all utilities which are operated separately.

In addition to the foregoing funds, there may be maintained in the City treasury, whenever the Council deems it advisable, the following funds:

- (f) A working capital or revolving fund, for financing self-sustaining activities not accounted for through other funds.
- (g) A trust and agency fund, for the care and disbursement of money received and held by the City as trustee or custodian or in the capacity of an agent for individuals or other governmental units.

- (h) Such other funds as may be required by statute or ordinance.

In lieu of establishing any of the three foregoing types of funds, (f), (g), and (h), the Council may provide for the recording of operations or activities for which the use of such funds might be suitable through the maintenance of separate accounts in any appropriate fund already established. The Council shall have full power to make by duly adopted ordinance such inter-fund loans, except from funds held under subsection (g) hereof, as it may deem necessary and appropriate from time to time.

**Section 6.13. Receipts to go to City Treasurer.** All receipts of money belonging to the City or any branch thereof, excepting only those funds collected by the County Treasurer, shall be paid to the City Treasurer, by the person authorized to receive the same. All such monies, and also all monies received upon tax settlements from the County Treasurer, shall be deposited as soon as possible in a bank or banks approved by the City Council, subject to state laws regulating the designation of depositories for municipal funds.

**Section 6.14. Accounts and Reports.** The City Manager shall be the chief accounting officer of the City and of every branch thereof, and the Council may prescribe and enforce proper accounting methods, forms, blanks, and other devices consistent with law, this charter, and the ordinances in accord with it. The City Manager shall submit to the Council a statement each month showing the amount of money in the custody of the City Treasurer, the status of all funds, the amount spent or chargeable against each of the annual budget allowances, and the balances left in each, and such other information relative to the finances of the City as the Council may require. The Council may at any time and shall annually provide for an audit of the City finances by a certified public accountant or by the department of the state authorized to make examinations of the affairs of municipalities. On or before the first day of June, in each year, the City Manager shall prepare a complete financial report in form approved by the Council of the City's financial operations for the preceding calendar year, which report may be published in such manner as the Council may direct and a summary thereof shall be published in the official newspaper on or before June 10 of each year.

**Section 6.15. Bonded Debt and Debt Limit.** (a) In addition to all the powers in respect to borrowing and the issuance of bonds and other obligations for the payment of money specifically or impliedly granted by this charter, and any amendments thereto, the City shall have all the powers in reference to these subject matters granted to cities of its same class by the laws of the State of Minnesota in force from time to time. The City shall have the power to issue and sell its bonds to the State of Minnesota and to comply with all provisions of law relative to loans to municipalities from the permanent state funds. The City shall also have such powers as are necessary to obtain loans or funds from the Government of the United States and any of its instrumentalities or from the State of Minnesota or any of its instrumentalities, and to comply with all provisions of law relative to obtaining such loans or funds.

(b) The Council by a vote of at least six of its members may authorize the issuance of bonds to provide funds for any public purpose not prohibited by law, or may in its discretion by a majority vote of all of its members submit to the voters propositions for the issuance of such bonds. When such a proposition is submitted to the voters, no bonds or other term obligations of the City may be issued except pursuant to a favorable vote of a majority of those voters who vote on the proposition of their issuance. By the proceedings for the issuance of any bonds, by the terms of bonds, and by agreements with the purchasers of bonds, they may be made special in character and limited in their payment to earnings or to part earnings and part tax funds. To the extent that they are thus payable out of earnings or other than tax funds, such bonds shall not be paid out of taxes. The total bonded debt of the City at the time of the issuance of any bonds shall not exceed the limit authorized by State law for cities of the same class.

**Section 6.16. Form and Repayment of Bonds.** No bonds shall be issued to run for longer than the reasonable life expectancy of the property or improvement for which the bonds are authorized, as ascertained and set forth in the resolution authorizing such bonds, and in no case shall bonds be issued to run for more than thirty years. The purposes for which bonds are authorized shall be set forth in the resolution authorizing them, and the proceeds from such bonds shall not be diverted to any other purpose. It shall be the duty of the City Manager to include in the budget estimates each year a sum or sums amply sufficient to pay the principal of, and the interest on, any bonds which are to fall due in the coming fiscal year, and another sum sufficient to pay the interest for the same year on the bonds which will be still outstanding. It shall be the duty of the Council, enforceable by mandamus upon the suit of any bondholder or taxpayer, to include such sum or sums as may be necessary for this purpose in the annual budget when it passes.

**Section 6.17. Debt and Tax Anticipation Certificates.**

(a) 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, as provided for in the budget, or if any calamity or other public emergency should subject the City to the necessity of making extraordinary expenditures, then the Council may authorize the sale of emergency debt certificates to bear interest at not more than the rate established by State law and for terms not to exceed eighteen months. A tax sufficient to redeem all such certificates at maturity shall be levied as part of the budget of the following year. The authorization of an issue of such emergency debt certificates shall take the form of an ordinance approved by at least five of the members of the Council; the ordinance may, if deemed necessary, be passed as an emergency ordinance.

(b) For the purpose of providing necessary money to meet authorized expenditures, the Council may issue certificates of indebtedness in any year prior to the receipt of taxes payable in such year, such certificates to be repaid out of such taxes before the end of such year, on such terms and conditions as it may be determined, bearing interest at a rate not to exceed that established by State law; provided that such certificates outstanding at any one time shall not exceed forty percent of the tax levy payable in the current year belonging to the fund for the benefit of which the borrowing is authorized.

**Section 6.18. Bonds Outside the Debt Limit.** Without limit as to amount, the Council may issue bonds for legal purposes outside of the debt limit:

- (a) for the creation and maintenance of a permanent improvement revolving fund,
- (b) for extending, enlarging, or improving revenue-producing public utilities of whatever nature, owned and operated by the City, or of acquiring property needed in connection therewith,
- (c) for public improvements payable from special assessments.

The Council may also purchase equipment on conditional sale contracts, provided that the installment payments do not extend beyond the estimated useful life of the equipment so purchased.



## CHAPTER 7

### Public Improvements and Special Assessments

**Section 7.01. The City Plan.** The City Council shall, with the assistance of the City Manager and an advisory City Planning Commission, prepare and adopt a complete plan for the future physical development of the City. Such plan may be altered from time to time. It may include provisions for zoning, for the platting and development of new areas, for the planning and location of public works of art, public buildings, parks, playgrounds, bridges, transportation lines, and other public facilities, and for the laying out, grading and improving of streets and public places, as well as for all other matters which may seem essential to such a plan.

**Section 7.02. Enforcement of City Plan.** The Council shall have all necessary power, acting through the City Manager, to enforce complete adherence by all persons to the plan adopted as provided above, and to adopt and enforce a comprehensive zoning ordinance. The Council shall have power to pass ordinances to regulate the use of private property, such as but not limited to: the height of buildings, the proportion of the area of any lot which may be built upon, to establish building lines, and proper and adequate provisions for parking. Such power shall be exercised to promote public health, safety, morals, welfare, and convenience.

**Section 7.03. Public Improvements and Special Assessments.** The City shall have the power to make any and every type of public improvement not forbidden by the laws of this state and to levy special assessments to pay for all such improvements as are of a local character. The amounts assessed to benefitted property to pay for such local improvements may equal the cost of the improvements, including all costs and expenses connected therewith, with interest, until paid, but shall not exceed the benefits to the property.

**Section 7.04. Local Improvements.** The Council may prepare and adopt a comprehensive ordinance, prescribing the procedure which shall be followed in making all local improvements and levying assessments therefor, and such ordinance when adopted shall supersede all other provisions of the law on the same subject and may be amended only by an affirmative vote of at least five members of the Council. Until the adoption of such an ordinance, and in absence of such ordinance, all local improvements may be made and assessments levied therefor as prescribed by an applicable law.



**Section 7.05. Public Works - How Performed.** Public works, including all local improvements, may be constructed, extended, repaired, and maintained either directly by day labor or by contract. The City shall require contractors to give bonds for the protection of the City and all persons furnishing labor and materials pursuant to the statutes of the State.

## CHAPTER 8

### Eminent Domain

**Section 8.01. Power to Acquire Property.** The City of St. Louis Park is hereby empowered to acquire, by purchase, gift, devise, or condemnation, any property, corporeal or incorporeal, either within or without its corporate boundaries, which may be needed by said City for any public use or purpose. Easements for any public purpose may be acquired by gift, devise, purchase, or condemnation in the manner provided by law.

**Section 8.02. Proceedings in Acquiring Property.** The necessity for the taking of any property by the City shall be determined by the Council and shall be declared by a resolution which shall describe such property as nearly as may be and state the use to which it is to be devoted. In the acquisition of property by the exercise of the right of eminent domain, the City shall proceed according to applicable law, except as otherwise provided in this charter.

**Section 8.03. Payment of Award.** Whenever an award of damages shall be confirmed in any proceeding for the taking of property under this charter, or whenever the court shall render final judgment in any appeal from any such award, and the time for abandoning such proceedings by the City shall have expired, the City shall be bound to, and shall, within sixty days of such final determination, pay the amount of the award of judgment of the court, as the case may be, and, if not so paid, judgment therefore may be had against the City.

**Section 8.04. City May Abandon Proceedings.** The City may, by resolution of the Council at any stage of the condemnation proceedings, or at any time within thirty days after final determination thereof, abandon such proceedings as to all or any parcel of the property sought to be acquired and shall pay all reasonable costs and expenses thereof, including fees of counsel.

**Section 8.05. City May Acquire Entire Plant.** In case the City shall condemn a public utility which is operated at the time of the commencement of the condemnation proceedings as one property or one system, it shall not be necessary in such condemnation proceedings, or any of the proceedings of the Council, to describe or treat separately the different kinds of property composing such system, but all of the property, lands, articles, franchises, and rights which enter into and go to make up such system may, unless otherwise ordered by the court, be treated together as constituting one property, and an award for the whole property in one lump sum may be made by the commissioners on condemnation or other body assessing the damages. This shall not prevent the City, in cases where the plant and property are separable into distinct parts, from acquiring only such part or parts thereof as may be necessary in the public interest.

## CHAPTER 9

### Franchises

**Section 9.01. Definition of Franchises.** The word "franchise" as used in this charter shall be construed to include all privileges granted to any person, firm, association or corporation in, over, upon or under any of the highways or public places of the city, whether such privileges have been or shall hereafter be granted either by the City or by the State of Minnesota.

**Section 9.02. Franchise Ordinances.** The Council may grant franchises by ordinance adopted by an affirmative vote of at least five members of the Council, but in no case shall a franchise be granted by an emergency ordinance, nor within twenty (20) days after a public hearing thereon as provided for in Section 9.09, or later than sixty (60) days after such public hearing. Franchise rights shall always be subject to the superior right of the public to the use of streets and public places. All corporations, co-partnerships, persons or other entity desiring to make an especially burdensome use of the streets or public places, inconsistent with the public's right in such places, or desiring the privilege of placing in, over, upon or under any street or public place any permanent or semi-permanent fixtures for the purpose of constructing or operating street or other railways, or for telephoning or telegraphing or transmitting electricity, or transporting by pneumatic tubes, or for furnishing to the City or its inhabitants or any portion thereof transportation facilities, water, light, heat, power, or any other public utility, or for any other purpose, may be required to obtain a franchise before proceeding to place such fixtures in such places. Every ordinance granting or extending any franchise shall contain all the terms and conditions of the franchise. A franchise shall be without any validity whatever until it has been unconditionally accepted in all its terms, and such acceptance, properly executed by the grantee, has been filed with the City Clerk, and approval received from all other appropriate governmental agencies in accordance with applicable laws.

**Section 9.03. Cost of Publication of Franchise.** The grantee shall bear the cost of publication of the franchise ordinances and shall make sufficient deposit with the City Clerk to guarantee the publication before the ordinance is passed.

**Section 9.04. Power of Regulation Reserved.** The City shall have the right and power to regulate and control the exercise by any corporation, co-partnership, person or other entity, of any franchise, however acquired, and whether such franchise has been heretofore granted by the City of St. Louis Park or by the State of Minnesota, or shall hereafter be granted by the City or by the State of Minnesota.

**Section 9.05. Rates and Charges.** Every franchise making use of the streets or public places within the City shall give courteous, efficient, and adequate service at reasonable rates. A reasonable rate shall be construed to be one which will, with efficient management, normally yield a fair return on all property used and useful in furnishing service to the City and its inhabitants. This shall not be construed as a guaranty of a return and, in no case, shall there be any return upon franchise value. Within these limits, the determination of maximum rates, fares, or charges to be charged by a franchisee for service rendered to the City or to any person, persons, firm, or corporation within the City shall be made, if possible, by direct negotiations between the franchisee and the Council. In case of failure to reach an agreement by this method, within a reasonable time, the Council may, in its discretion, agree to submit to arbitration on such terms as it may deem feasible or upon such terms as the franchise provides for, the fixing of the rates, fares or charges to be made by the franchisee; provided, however, that the rates, fares, or charges so fixed by arbitration shall not be binding on the City for more than five years.

**Section 9.06. Provisions of Franchises.**

- (a) Every franchise shall contain, among other things, provisions relating to the following:
- (1) The term of the franchise granted, which shall not exceed 25 years.
  - (2) Rates, fares, and charges to be charged by the franchisee in compliance with the terms and provisions of Section 9.05.
  - (3) The rights reserved to the City in connection with the erection of poles, masts, or other fixtures in the streets or public places and the attachment of wires thereto, the laying of tracks in or of pipes or conduits under the streets or public places, and the placing in the streets or other public places of any permanent or semi-permanent fixtures or equipment by the franchisee.
  - (4) The prompt repair by the franchisee of all damages to the public streets, alleys, and public property occasioned by the acts or omissions of the franchisee.
  - (5) The rights of the City to have access to all books, records, and papers of the franchisee which in any way deal with, affect, or record its operations within and pertaining to the City and pertaining to property and equipment used and useful in furnishing service to the City and its inhabitants.
- (b) Every franchise may contain, among other things, provisions relating to the following:

(1) The power and right of the City to submit to arbitration the fixing of any rates, fares, or charges to be made by the franchisee.

(2) The rights of the franchisee to receive, upon condemnation proceedings brought by the City to acquire the franchise, compensation for its franchise or the value thereof, if any.

**Section 9.07. Further Provisions of Franchises.** The enumeration and specification of particular matters which must be provided for in every franchise or renewal or extension thereof shall not be construed as impairing the right of the City to insert in any such franchise or renewal or extension thereof such other and further conditions and restrictions as the Council may deem proper to protect the City's interests, nor shall anything contained in this charter limit any right or power possessed by the City over existing franchises.

**Section 9.08. Renewals or Extensions of Franchises.** Every extension, renewal, or modification of any existing franchise or of any franchise granted hereunder shall be subject to the same limitations and granted in the same manner as a new franchise.

**Section 9.09. Public Hearings.** Before any franchise ordinance is adopted or any rates, fares, or charges to be charged by a public utility are fixed, there shall be a public hearing by the Council in regard thereto. Notice of such public hearing shall be given by published notice at least once in the official newspaper not less than twenty (20) days prior to the date of such public hearing. Additional notice of such public hearing may be given in such manner as the Council shall determine.

## CHAPTER 10

### Public Ownership and Operation of Utilities

**Section 10.01. Construction, Acquisition, and Operation of Utilities.** The City shall have power to acquire public utilities as provided in Chapter 8 of this charter and to build and construct such utilities as may be authorized by at least 60 percent of the votes cast on the issue at a regular or special election.

**Section 10.02. Rates and Finances.** Upon recommendations made by the City Manager, or upon its own motion, the Council shall have the power to fix all rates and charges for all utilities provided by plants owned by the City, but such rates and charges shall be just and reasonable. In like manner the Council may prescribe the time and manner in which payments for all such services shall be made and make such other regulations as may be necessary and may prescribe penalties for violations of such regulations.

**Section 10.03. Purchase in Bulk.** The Council may, in lieu of providing for the local production of gas, electricity, water, and other utilities, purchase the same in bulk and resell them to local consumers at such rates as it may fix.

**Section 10.04. City to Pay for Services.** The Council shall make a reasonable charge, based on the cost of service, for lighting the streets and public buildings, or for supplying heat, power, or any other utility, and reasonable charges for supplying the City with water, and shall credit the same to the publicly owned utility supplying the service. Such rentals and other charges for light, heat, power, water, and other services shall be collected in the same manner as from other consumers, unless the Council provides some other plan.

**Section 10.05. Lease of Plant.** The Council may, if the public interests will be served thereby, contract with any responsible person, co-partnership, or corporation for the operation of any utility owned by the City, upon such rentals and conditions as it may deem necessary, but such contract shall be embodied in and let only by an ordinance approved by an affirmative vote of at least five members of the Council. In no case shall such contract be for a longer term than ten years. The contractor shall be subject as far as possible to the rules as to rates and service, and as to Council control, laid down for the holders of franchises in Chapter 9 of this charter.

**Section 10.06. Public Utility - How Sold.** No public utility owned by the City, whether acquired prior to the adoption of this charter or thereafter, shall be sold or otherwise disposed of by the City, unless the full terms of the proposition of said sale or other disposition thereof, together with the price to be paid therefore, shall have been embodied in an ordinance passed by an affirmative vote of at least five members of the Council and submitted to the electors at a general or special election and approved by at least a 60 percent vote of the voters voting thereon.

## CHAPER 11

### Miscellaneous Provisions

**Section 11.01. Official Bonds.** The City Manager, the City Clerk, and City Treasurer and such other officers or employees of the City, as may be provided for by ordinance, shall each, before entering upon the duties of their respective offices or employment, give a corporate surety bond to the City in such form and in such amount as may be fixed by the Council as security for the faithful performance of their respective official duties and the safekeeping of the public funds. Such bonds shall be approved by the City Council and approved as to form by the City Attorney and they shall be filed with the City Clerk. The premiums on the corporate surety bonds hereinbefore provided for shall be paid by the City.

**Section 11.02. Sale of Real Property.** No real property of the City shall be sold or disposed of except by ordinance. The proceeds of any such sale shall be used as far as possible to retire any outstanding indebtedness incurred by the City in the purchase, construction, or improvement of this or other property used for the same public purpose; but if there be no such outstanding indebtedness, then the Council may by a resolution adopted by an affirmative vote of at least five members of the Council designate some other public use for such proceeds.

**Section 11.03. Vacation of Streets.** The Council shall have the exclusive power, by ordinance passed by a vote of at least five members of the Council, to vacate or discontinue highways, streets, and alleys within the City. Such vacations may be made only after notice to affected property owners, and after hearing, and upon such further terms, and by such procedure as the Council may, by ordinance, prescribe. A record of each such vacation shall be filed in the office of the County Recorder of Hennepin County.

**Section 11.04. Damage Suits.** No action shall be maintained against the City on account of any injuries or damages to persons or property, unless such action shall be commenced within one year from the occurrence of such injury or damage, nor unless notice shall have been given in writing as required by applicable law.

No action shall be maintained against the City on account of injuries or damages to persons or property resulting from or caused by any accumulation or deposit of ice or snow on any public streets, sidewalk, building, or place, except those actions expressly allowed by Minnesota statutes.

**Section 11.05. Recovery of Judgment of Damages.** If any judgment shall be recovered in any action against the City for any injury or damage caused by any obstruction, excavation,



opening, or defect in any street or alley or public ground caused or occasioned by the act or omission of any person or corporation, the City shall have the right to recover the amount of such judgment from the person or corporation so responsible for such obstruction, excavation, opening, or defect; and such person or corporation is hereby declared to be liable to the City in the amount of such damages, provided, however, the City shall give such person or corporation notice of any claim for such injury or damage and of any action to recover for the same and shall give such person or corporation the right and reasonable opportunity to defend such action.

**Section 11.06. Civil Service Commission.** The civil service commissions for police and firefighters shall be continued in force pursuant to the laws under which they are organized, and the amendments thereto from time to time, until abolished according to law. Subject to the Minnesota statutes governing police and firefighters and the provisions of this charter in regard thereto, the City Council may establish by ordinance, and alter from time to time, a civil service or merit system for all permanent City employees or for such classifications as may be deemed advisable, and, in connection therewith, the City Council may create and appoint a civil service commission to administer and supervise such civil service or merit system.

**Section 11.07. City Officers Not to Accept Favors or Contracts.** No member of the City Council or employee of the City shall solicit or receive any pay, commission, money, thing of value, or derive any profit, directly or indirectly, from or by reason of, any improvement, alteration, or repair required by authority of the City, or any contract to which the City shall be a party, except his/her lawful compensation, including authorized expenditures, or salary as such member of the City Council or as such employee. No member of the City Council or employee of the City, except as otherwise provided in this charter, or by law, shall solicit, accept or receive, directly or indirectly, from any public utility corporation or the owner of any public utility or franchise, any pass, frank, free ticket, free service, or any other favor, upon terms more favorable than those granted the public generally. A violation of any of the provisions of this section shall disqualify the offender from continuing in office or in the employment of the City, and the offender shall be removed therefrom. Any contract with the City in which any member of the City Council or employee of the City is, or becomes, directly or indirectly interested, personally or as a member of a firm, or as an officer or director of a corporation, shall be voidable at the option of the Council; and any money which shall have been paid on such contract by the City may be recovered from any or all of the persons interested therein by joint or several action.

CERTIFICATE OF COMMISSION

We, the undersigned, being duly appointed, qualified and acting members of the Board of Freeholders (Charter Commission) in and for the Village of St. Louis Park, Hennepin County, Minnesota, hereby certify that the foregoing document consisting of Chapters 1 through 11, inclusive, is the draft of a proposed charter prepared and framed by said Board of Freeholders, and hereby affix our signatures to said draft in testimony of our approval thereof, and deliver the same to the Honorable Russell Fernstrom, President of the Council of said Village, as the chief magistrate or executive thereof, for action pursuant to law.

Dated at St. Louis Park, Minnesota, this       day of       1954.

MAURICE ADELSHEIM, JR.  
WILLIAM R. CHAPMAN  
JAMES S. CULLEN  
TRES F. GOETTING  
MRS. GERTRUDE HOGNANDER  
FRED W. KAEPPPEL

J.E. ADOLPH KARLSSON  
LELAND F. LELAND  
MRS. LYDIA ROGERS  
EDMUND T. MONTGOMERY  
MRS. CATHERINE WESTERDAHL  
EDWARD ROUSE

WALTER WHEELER

EVERETT A. DRAKE, CHAIRMAN

The foregoing draft of a proposed Charter and certificate in connection therewith received this       day of       1954.

RUSSELL       FERNSTROM  
President   of Village  
Council and Chief  
magistrate or executive of  
the Village of St. Louis Park,  
Hennepin County, Minnesota

(Adopted December 7, 1954; effective January 7, 1955.)

## CHAPTER 12

### Code of Ethics

**Section 12.01. Declaration of Policy.** The proper operation of democratic government requires that public officials be independent, impartial and responsible to the people; that governmental decisions and policy be made in the proper channels of the governmental structure; that public office not be used for personal gain, and that the public has confidence in the integrity of its government. In recognition of these goals, there is hereby established a Code of Ethics for all public officials. The purpose of this Code is to establish ethical standards of conduct for all such officials by setting forth those acts or actions that are incompatible with the best interests of the City and by directing disclosure by such officials of private financial or other interests in matters affecting the City. The provisions and purpose of this Code and such rules and regulations as may be established are hereby declared to be in the best interests of the City of St. Louis Park.

**Section 12.02. Definitions.** When used in this chapter, the following terms shall have ascribed to them the definitions set out herein:

(1) "Associate" means any person related to a public official by blood or marriage.

(2) "Candidate" means any individual who seeks nomination or election as a public official of the City of St. Louis Park. An individual shall be deemed to seek nomination or election if he/she has taken the action necessary under the ordinances of the City of St. Louis Park to qualify for nomination or election to an office, or has received contributions or made expenditures in excess of \$100, or has given consent, implicit or explicit, for any other person to receive contributions or make expenditures in excess of \$100 with a view to bringing about his/her nomination for election or election to an office.

(3) "Contribution" means a transfer of funds or a donation in kind and includes any loan or advance of credit to a candidate, personal campaign committee, political committee or party committee, which loan or advance of credit is (a) forgiven or (b) paid by an entity other than the personal campaign committee, political committee, or party committee to which the loan or advance of credit is made. If an advance of credit or a loan is forgiven or paid as provided in this subdivision, it is a contribution in the year in which the loan or advance of credit is made.

(a) "Transfer of funds" means money or negotiable instruments given by an individual or entity to a candidate, personal campaign committee, party committee, or political committee for the purpose of influencing the nomination or election of a candidate.

b) "Donation in kind" means anything of value other than money or negotiable instruments given by an individual or association to a candidate, personal campaign committee, political committee, or party committee for the purpose of influencing the nomination or election of a candidate. Donation in kind includes an approved expenditure.

(c) "Approved expenditure" means an expenditure made on behalf of a candidate by an entity other than the personal campaign committee of that candidate, which expenditure is made with the authorization or express or implied consent of, or in cooperation or in concert with, or at the request or suggestion of that candidate, the candidate's personal campaign committee, or the candidate's agent. An approved expenditure is a contribution to that candidate.

(4) "Expenditure" means a purchase or payment of money or anything of value, or an advance of credit, made or incurred for the purpose of supporting or opposing the nomination or election of a candidate.

An expenditure is considered to be made in the year in which the goods or services for which it was made are used or consumed.

Expenditure includes the dollar value of a donation in kind.

Expenditure does not include:

(a) Transfers of funds as defined in Section 12.02(3)(a);

(b) Services provided without compensation by an individual volunteering time on behalf of a candidate; or

(c) The publishing or broadcasting of news items or editorial comments by the news media.

(5) "Election" means a primary, special primary, regular, or special City election.

(6) "Interest" means any concern which yields a pecuniary or material benefit.

(7) "Personal campaign committee" means any committee appointed by a candidate for any election.

(8) "Party committee" means any committee appointed or elected to represent any political party with a party organization in the State of Minnesota.

(9) "Political committee" means a group of two or more persons who were elected or appointed by any political party or association for the purpose, wholly or partly, of raising, collecting, or disbursing money or directing the raising, collecting, or disbursing thereof, for nomination or election purposes, or who cooperates in the raising, collecting, or disbursing of money used, or to be used for or against the election to public office of any person or any class or number of persons, or for or against the adoption of any ordinance or charter amendment.

(10) "Public official" means any person holding the office of mayor or Councilmember by election or by appointment.

**Section 12.03. Organization of Personal Campaign Committees.** Every candidate shall designate a single personal campaign committee which shall have a secretary. The candidate shall file a signed statement with the City Clerk stating that a personal campaign committee has been formed and giving the name and address of every member and of the secretary thereof. Such filing shall be made before any expenditures are made by the personal campaign committee. Only the candidate and the personal campaign committee shall receive contributions and make expenditures on behalf of the candidate; provided, however, that party committees and political committees shall not be prohibited from receiving contributions and making expenditures related to nominations or elections.

**Section 12.04. Contributions.**

(1) No candidate or personal campaign committee shall accept an aggregate contribution from any single person or entity in excess of \$250.

(2) Every person who receives a contribution or loan for a personal campaign committee shall, on demand of the secretary, and in any event, within 14 days after receipt of the contribution or loan, furnish the secretary with the name and, if known, address of the contributor or lender, the amount contributed or loaned, and the date of receipt.

(3) No anonymous contributions in excess of \$20 or any anonymous contributions aggregating in excess of \$100 shall be retained by any personal campaign committee, but shall be forwarded to the City Clerk and deposited to the general fund of the City. This subdivision shall not apply to anonymous contributions aggregating in excess of \$100 arising from fund raising sales, where in consideration of a contribution or contributions, a person receives any tangible goods whose value has a reasonable relationship to the contribution.

(4) All contributions of \$50 or more shall be made by check, bank draft, or money order.

(5) All monetary contributions received by or on behalf of any candidate or personal campaign committee shall be deposited within 14 days after receipt in an account designated "campaign fund of (name of personal campaign committee)."

**Section 12.05. Use of Contributions.** All contributions received on behalf of a candidate or personal campaign committee shall be used solely for the purpose of conducting that candidate's campaign for nomination for election or election to political office.

**Section 12.06. Campaign Reports.**

(1) Every candidate and the secretary of every personal campaign committee in every primary, special or regular election shall file a financial statement with the City Clerk as follows:

- (a) Seven days before the primary;
- (b) Seven days after the primary;
- (c) Seven days before the regular or special elections; and
- (d) Seven days after the regular or special election.

The statement shall be verified upon the oath of such candidate or such personal campaign committee, as the case may be, and shall cover all transactions made up to and including the third day before the filing of the statement and not accounted for and reported upon in statements theretofore filed, except that no transactions shall be made thereafter which are not included in the final statement. Each statement, after the first, shall contain a summary of all preceding statements.

(2) Every secretary of every party committee shall, eight days before the primary, on or before the tenth day following the primary, eight days before the general election, and on or before the tenth day following the general election, file with the City Clerk a financial statement verified by the secretary of the party committee, which shall show in itemized detail all transactions, disbursements, and all obligations to make disbursements, for political purposes. Each statement, after the first, shall contain a summary of all preceding statements.

(3) Every political committee shall, within 30 days after any municipal election, file with the City Clerk a statement showing the total amount of receipts and disbursements, and for what purpose such disbursements were made when the political committee is organized to support a candidate for elected office in the City or to support or oppose propositions in City elections.

(4) The reports required by Section 12.06(1) and (2) shall disclose the following:

(a) Every sum of money and all property and every other thing of value, received by such candidate or committee during such period from any source whatsoever which the candidate or committee uses or has used, or is at liberty to use for political purposes, together with the name of every person or source from which each was received and the date when each was received, together with the total amount received from all sources in any amount or manner;

(b) Every promise or pledge of money, property, or other thing of value, received by such candidate or committee during such period, the proceeds of which the candidate or committee uses or has used, or is at liberty to use for political purposes, together with the names of the persons by whom each was promised or pledged, the special purposes for which each was promised or pledged, and the date when each was promised or pledged, together with the total amount promised or pledged from all sources in any amounts or manner;

(c) Every disbursement by such candidate or committee for political purposes during such period, together with the name of every person to whom the disbursement is made, the specific purpose for which each was made, and the date when each was made, together with the total amount promised or pledged from all sources in any amounts or manner;

(d) Every obligation, expressed or implied, to make any disbursement incurred by such candidate or committee for political purposes during such period, together with the names of the person or persons to or with whom each such obligation has been incurred, the specific purposes for which each was made, and the date when each was incurred, together with the total amount of such obligations made in any amounts or manner.

#### Section 12.07. Records

(1) The candidate or the secretary of each personal campaign committee or political committee shall preserve all records and accounts required for the reports required in Section 12.06 for one year after the date of the election.

(2) The City Clerk shall keep all reports filed as required by Section 12.06 for one year after the date of the election. Reports shall be available to the public at a reasonable time and place.

**Section 12.08. Notice of Failure to File.** The City Clerk shall receive all reports filed as required by Section 12.06 and notify the person required to file a report that such person has failed to file a document by this chapter.

**Section 12.09. Termination Report.** No personal campaign committee, party committee, or political committee shall dissolve until it has filed a termination report. The termination report shall include all information required in periodic reports and a statement as to the disposition of any residual funds.

**Section 12.10. Distribution.** The City Clerk shall distribute a copy of Section 12.02 through 12.11 to every candidate for public office upon the candidate's filing for office.

**Section 12.11 Penalty.** Any candidate, personal campaign committee, party committee, or political committee found to be in violation of Sections 12.02 through 12.09 shall be liable to a fine of not more than \$500.

**Section 12.12. Filing of Information.** Each public official and each candidate must file as public record in the office of the City Clerk a statement containing the following:

- (1) Individual's name, address, occupation, and principal place of business.
- (2) A listing of all sources of compensation received for services rendered in excess of \$1,000 per year, without specifying amount.
- (3) A list of the names of all business corporations, companies, firms, or other business enterprises or partnerships with which the individual is connected as an employee, officer, owner, director, trustee, partner, advisor, or consultant.
- (4) A list of financial interests through ownership of stocks, bonds, or other securities with value in excess of \$1,500 without specifying dollar amount.
- (5) A list of all real property located within the City of St. Louis Park excluding personal homestead property, in which the individual has any financial interest in excess of \$1,500. The filing shall indicate the location of such property, but may omit any valuation.

**Section 12.13. Family Interests.** If the spouse and/or minor children of a public official or candidate hold an interest which if held by the official or candidate would have to be disclosed under the provisions of Section 12.12, such interest of the spouse and/or minor children must be included in the statement filed according to Section 12.12.



**Section 12.14. Exclusions.** Section 12.12 shall not be construed to require:

- (1) Filing of any information relative to connections or interests with any non-profit organization.
- (2) Disclosure of privileged relationships, as recognized by law (e.g., doctor-patient, attorney-client, pastor-parishioner, etc.).

**Section 12.15. Time of Required Filing.** The times at which required personal financial disclosure filings must be made are as follows:

- (1) Public officials - not later than 60 days after the effective date of this amendment and every April 15 thereafter.
- (2) Candidates - within 14 days after filing an affidavit of candidacy or petition to appear on the ballot for an elective office.

**Section 12.16. Records.** The City Clerk shall keep all reports filed as required by Sections 12.12 through 12.15 for four (4) years.

**Section 12.17. Penalty.** Any candidates or public officials who fail to file all the necessary documents with the City Clerk within thirty (30) days after notice from the City Clerk that they are delinquent in their filings, shall be liable to a fine of not more than \$500.

**Section 12.18. Personal Financial Conflicts of Public Officials.**

(1) Contracts Void. Any public official who is authorized to take part in any manner in making any sale, lease, or contract in his/her official capacity shall have no personal financial interest in that sale, lease, or contract or personally benefit financially therefrom unless the effect on the public official's personal financial interest is no greater than on any other person and/or property similarly situated. Any sale, lease, or contract entered into by the City with regard to which a public official has acted in violation of this section is void; provided, however, that any sale, lease, or contract permitted under Minnesota Statutes Section 471.88 is voidable. Any money which was paid by the Council in violation of this paragraph may be recovered from any and all persons interested therein.

(2) Non-contractual transactions voidable. Any public official who in the discharge of his/her duties would be authorized to take an action, vote, or make a decision concerning a non-contractual transaction of the City which would affect the public official's interests, unless the effect on his/her interests is no greater than on other person and/or property similarly situated, shall disqualify himself/herself from such action, vote or decision. Any transaction entered into by the City with regard to which a public official has acted in violation of this paragraph is voidable at the option of the Council. Any money which was paid by the Council in violation of this paragraph may be recovered from any and all persons interested therein.

**Section 12.19. Financial Conflicts of Associates of Public Officials; Contracts and Transactions Voidable.** Any public official who in the discharge of his/her duties would be authorized to take an action, vote, or make a decision concerning a contractual or non-contractual transaction which would affect the interests of his/her associates, unless the effect on the interests of his/her associates is no greater than on other persons and/or property similarly situated, shall disqualify himself/herself from such action, vote or decision.

Any contract or transaction entered into by the City with regard to which a public official has acted in violation of this Section is voidable at the option of the Council. Any money which was paid by the Council in violation of this section may be recovered from any and all persons interested therein.

**Section 12.20. Gifts and Favors.** No public official shall accept any valuable gift, whether in the form of money, service, loan, thing, or promise, from any person, firm, or corporation which to his/her knowledge is concerned, directly or indirectly, in any manner whatsoever in business dealings with the City; nor shall any public official (1) accept any gift, favor, or thing of value that may tend to influence his/her in the discharge of his/her duties; or (2) grant in the discharge of his/her duties any improper favor, service, or thing of value or accept an offer which would not have been given if he/she were not an official; or (3) accept or receive anything of value through sale or gift of goods or services which would result directly or indirectly from his/her position as a public official of the City of St. Louis Park.

**Section 12.21. Use of City Equipment and Facilities.** No public official shall request or permit the unauthorized use of City-owned vehicles, equipment, materials, property, labor, or services for personal convenience or profit.

**Section 12.22. Distribution.** The City Clerk shall distribute a copy of this Chapter to every public official within 30 days after enactment of these sections. The City Clerk shall also distribute a copy of this Chapter to every subsequently elected or appointed public official within 14 days of the public official's election or appointment to public office and every candidate for City office upon the candidate's filing for office.

## INDEX

Subject	Section
Abatement - Authority as to nuisances	1.01
Absence - Councilmembers	3.01
Accounting Methods	6.14
Acting Mayor - Duties	2.05
Administrative Code	5.03
Administration - Council through Manager	2.01
Administration - Manager Generally	2.01
Administration - Interference	2.09
Adoption by Reference	3.07
Advertising - Tax	6.02
Adjournment - Less Than Quorum	3.03
Alleys - See Streets	
Amendments - Ordinances	3.09
Annual Budget	6.04
Annual Statements	6.14
Appointments - Attorney	5.04
Appointments - Clerk and Treasurer	5.04
Appointments - Councilmembers After One Year	2.04
Appointments - Councilmembers to Paid Employment	2.04
Appointments - Council Vacancy	2.05
Appointments - Disqualification	2.04
Appointments - Manager	5.01
Appointments - Secretary of Council	3.02 & 5.04
Appointments - Subordinate Officers	5.04
Appropriations - Authority Generally	1.02
Assessments - Authority	7.04 & 1.02
Assessments - See Improvements	
Attorney - Appointments	5.04
Attorney - Approve Bonds	11.01
Audit - City Finances	6.14
Auditing	6.01 & 2.08
Authority - of City Generally	1.02
Banks - Depositories	6.13
Bids - Contracts	5.06
Bids - Lowest	5.06
Board of Equalization	6.03
Boards - Advisory Only	2.02
Boards - Authority to Investigate	2.02
Boards - Establishment	2.02
Bonds - See Borrowing	
Bonds - Contractors	7.05
Bonds - Official Generally	11.01
Borrowing - Authorize Generally	1.02
Borrowing - Bond Elections	6.15
Borrowing - Bonded Dept	6.15
Borrowing - Bond Fund	6.12
Borrowing - Bonds, Issuance	6.15
Borrowing - Bonds, Sale of	6.15
Borrowing - Debt Limitation	1.04 & 6.15

# INDEX (continued)

Subject	Section
Borrowing - Debt Service Fund	6.12
Borrowing - Funds	6.12
Borrowing - Outside Debt Limits	6.18
Borrowing - Proceeds of Sale of Real Estate	11.02
Borrowing - Repayment	6.16
Borrowing - Taxes	6.02
Borrowing - Tax Anticipation Certificates	6.17
Borrowing - U.S. and State	6.15
Borrowing - Utilities Acquisition	8.01
Boundaries	1.01
Boundaries - Council Duty to Redistrict Wards	2.03
Boundaries - Ward Change	2.03
Bridges - Planning	7.01
Budget - Alterations	6.07
Budget - Annual	6.04
Budget - Emergency Appropriations	6.08
Budget - Enforcement	6.06
Budget - How Adopted	6.05
Budget - Ordinance	3.08
Budget - Passage	6.05
Budget - Transfer of Funds	6.07
Buildings - Authority General	1.02
Bureaus - Creation	1.02
Business Regulations - Authority	1.02
Calamity	6.17
Census - Redistricting	2.03
Ceremonial Head of City	2.06
C.P.A. Audit	6.14
Charter - Evidence in Court	1.02
Charter - General Laws	1.04
City - See specific headings; Attorney, Manager, Clerk, Limits, Utilities	
City - Has Rights of Village	1.03
City Plan	7.01
City Plan Enforcement	7.02
Civil Service	11.06
Clerk	5.04
Clerk - Attest Ordinances	3.07
Clerk - Bond & Premium	11.01
Clerk - Codification Certificate	3.10
Clerk - Disbursements	6.11
Clerk - Election Notices	4.02
Clerk - To Notify Election Winners	4.08
Code - Administrative	5.03
Codes - Adoption by Reference	3.07
Codification of Ordinances	3.10
Collection of Taxes	6.09

# INDEX (continued)

Subject	Section
Comfort - General Authority	1.02
Commissions - Advisory Only	2.02
Commissions - Authority to Investigate	2.02
Commissions - Civil Service	11.06
Commissions - Establishment	2.02
Commissions - Planning	7.01
Common Law Powers - Authorization	1.02
Compensation - See Salaries	
Condemnation - See Eminent Domain	
Conditional Sales Contracts	6.18
Conflicts of Interest	12.18 - .21
Contracts	5.05
Contracts - Authority	1.02
Contracts - Conditional Sales	6.18
Contracts - Forbidden	11.07
Contracts - How Let	5.06
Contracts - Over \$15,000	5.05 & 5.06
Contracts - Public Works	7.05
Contracts - Regulations by Ordinance	5.07
Contracts - Signing	5.05
Contracts - Utility Leasing	10.05
Contracts - Voidable	11.07
Construction - Authority Generally	1.02
Construction Contracts	5.06
Control - Administrative	2.01
Control - Executive	2.01
Convenience - General Authority	1.02
Conviction - Vacancy	2.05
Corporate Surety - See Bonds	
Council - Adjournment if no Quorum	3.03
Council - Administration Limitations	2.09
Council - Approval of Contracts	5.05
Council - Assessments	7.03
Council - Audits	2.09
Council - City use of Utilities	10.04
Council - Control Generally	2.01
Council - Day Labor Improvements	7.05
Council - Employment	2.04
Council - Favors	11.07
Council - Financial Control	6.01
Council - Fix Bonds	11.01
Council - Fix Rates City Utilities	10.02
Council - Force Account Work	7.05
Council - Giving Notice	3.07 (a)
Council - Improvements	7.03
Council - Investigation	2.08
Council - Journal	3.02 & 3.03
Council - Meetings	3.01
Council - Meetings, Public	3.01

# INDEX (continued)

Subject	Section
Council Membership	2.03
Council - Merit System	11.06
Council - Minutes of Meeting Public	3.01
Council - Ordinances, Resolutions and Motions	3.04
Council - Planning	7.01
Council - Powers & Authority	1.04
Council - Powers Create Offices	5.04
Council - Powers, Departments	5.03
Council - Presiding Officer	2.06
Council - Procedure	3.03
Council - Publications	3.07
Council - Quorum	3.03
Council - Secretary	3.02
Council - Set Salaries	2.07
Council - Special Assessments	7.03
Council - Subpoena	2.08
Council - Surveys and Research	2.08
Council - Use of Proceeds of Real Property Sale	11.02
Council - Voting	3.04
Council Manager Plan - Established	2.01
Councilmember - Absence as Vacancy	2.05
Councilmember - Candidate	2.03
Councilmember - Death	2.05
Councilmember - Moving Out of Ward	2.03
Councilmember - Qualifications	2.03
Councilmember - Removal from Ward	2.05
Councilmember - Resignation	2.05
Councilmember - Administrative Restrictions	2.09
Councilmembers - Attendance Compelled	3.01
Councilmembers - Contracts	11.07
Councilmembers - Expend	2.07
Councilmembers - Failure to Perform Duties or Quality	2.05
Councilmembers - Financial Reports	12.12 - .15
Councilmembers - Mayor Vote	2.06
Councilmembers - New	2.07
Councilmembers - Salaries	2.07
Councilmembers - Term	2.03
Councilmembers - Voting	3.01
Courts - Codification as Evidence	3.10
Damage Suits	11.04
Death of Councilmember	2.05
Debt - <u>See</u> Borrowing	
Departments - Creation	5.03
Definitions - General Authority	1.02
Depositories	6.13
Disbursements - How Made	6.11
Disposal - Garbage & Refuse Generally	1.02

# INDEX (continued)

Subject	Section
Easements - Acquisition	8.01
Election at Large - Mayor	2.03
Elections - Bond	6.15
Elections - Build Utilities	10.02
Elections - Campaign Regulations	12.03 -.12
Elections - Canvassing Returns	4.08
Elections - Clerk	4.05
Elections - Clerk to Notify Winners	4.08
Elections - Council Judge Thereof	2.03
Elections - Council Regulation	4.01
Elections - Day of Primaries	4.03
Elections - Day of Regular	4.02
Elections - Failure to Qualify	2.05
Elections - Filing Fees	4.06
Elections - Filling Vacancy	2.05
Elections - Generally	4.01 et seq
Elections - General Elections, Utilities	8.01
Elections - Judges	4.05
Elections - Nominating Petitions	4.06 & 4.07
Elections - Notice	4.02
Elections - Officers	2.03
Elections - Officers to be Elected	4.02
Elections - Petitions, Judges & Clerks	4.05
Elections - Polling Places	4.02
Elections - Precincts	4.02
Elections - Primary	4.03
Elections - Regular	4.02
Elections - Sale of Utility	10.06
Elections - Special	4.40
Elections - Special Elections, Utilities	8.01
Elections - State Laws Apply	4.01
Elections - Taking Office	4.08 & 3.01
Elections - Terms	2.03
Elections - Expired Term	2.05
Elections - Utilities	8.01
Elections - Wards	2.03 & 4.02
Elective Officers	2.03
Electricity - <u>See</u> Utilities	
Emergency Borrowing	6.17
Emergency Ordinances	3.06
Emergency Ordinances - Contracts	5.06
Emergency Ordinances - Effective Date	3.06
Emergency Ordinances - Franchises	9.02
Emergency Ordinances - Not to Grant Franchise	3.06
Eminent Domain - Abandon Proceedings	8.02
Eminent Domain - Authority	1.02 & 8.01
Eminent Domain - Award	8.03
Eminent Domain - Award Utilities	8.05
Eminent Domain - Easements	8.01
Eminent Domain - Elections Required	8.01



# INDEX (continued)

Subject	Section
Eminent Domain - Entire Plant	8.05
Eminent Domain - Franchises	8.01 & 8.05
Eminent Domain - Judgment on Award	8.03
Eminent Domain - Outside City Limits	8.01
Eminent Domain - Powers	8.01
Eminent Domain - Procedure	8.02
Eminent Domain - Utilities	8.01
Eminent Domain - Utility System	8.05
Employees - Merit System	11.06
Employees - Personal Liability	6.06
Evidence - Charter Prima Facie	1.02
Evidence - Codification	3.10
Expenditures - Limited	6.60
Expenses - Councilmembers	2.07
Fares - Authority	1.02
Fidelity Bonds - <u>See</u> Bonds, Official	
Finances - Council Control	6.01
Firefighters - Civil Service	11.06
Firefighters - Tax	6.02
Form - Nominating Petition	4.07
Form - Oath	2.03 & 5.04
Franchises - <u>See</u> also Eminent Domain and Utilities	
Franchises - Acceptance	9.02
Franchises - Arbitration	9.05 & 9.06
Franchises - Authority	1.02
Franchises - Change	9.07
Franchises - Contents	9.06
Franchises - Definition	9.01
Franchises - Extension	9.02
Franchises - Granting	9.02
Franchises - Not by Emergency Ordinance	3.06
Franchises - Ordinances	9.01
Franchises - Ordinance Publication Costs	9.03
Franchises - Power of City	9.07
Franchises - Provisions	9.06
Franchises - Renewal	9.07 & 9.08
Franchises - Terms	9.06
Funds - To be Kept	6.12
Garbage - Special Assessments	1.02
Gas - <u>See</u> Utilities	
General Elections - <u>See</u> Elections	
General Fund	6.12
General Laws - Application	1.04
General Powers of City	1.02
General Welfare - Authority	1.02
Gifts - Authority	8.01

# INDEX (continued)

Subject	Section
Good Government - General Powers	1.02
Government - Generally	2.01
Health - General Authority	1.02
Height - Building, Authority	1.02
Highways - <u>See</u> Streets	
Implied Powers - Generally	1.02
Improvement Ordinance	3.08
Improvements - Authority Generally	1.02 & 7.03
Improvements - Contracts	7.05
Improvements - Fund	6.12
Improvements - Special Assessment Authority	1.02
Improvements - Special Assessment Fund	6.12
Incompatible Offices	2.04
Installment Purchases	6.18
Injuries - Suits	11.04
Investigations - Council	2.09
Judgment - Against City	11.08
Judgments - Tax to Pay	6.02
Library - Tax	6.02
Licenses - General Authority	1.02
Legal Newspaper	3.07(b)
Legislative Control	2.01
Levy of Taxes	6.09
Levies - Authority General	1.02
Levies - Ordinances	3.08
Limitation of Action	11.04
Limits - Outside Property	1.02
Limits - Powers of City Outside	1.02
Loans - U.S.	6.15
Local Improvements - <u>See</u> Improvements	
Maintenance of Buildings - Authority	1.02
Manager - Accounting Officer	6.14
Manager - Administrative Duties from Council	2.09
Manager - Annual Budget	6.04
Manager - Annual Statements	6.14
Manager - Bond and Premium	11.01
Manager - Budget Enforcement	6.06
Manager - Contracts	5.05
Manager - Council Direction	2.01
Manager - Councilmembers Prohibited	2.04

# INDEX (continued)

Subject	Section
Manager - Disbursements	6.11
Manager - Duties	5.02
Manager - Financial Statement	6.14
Manager - Generally	5.01 et seq
Manager - Planning	7.01
Manager - Planning Enforcement	7.01
Manager - Not to be Secretary of Council	3.02
Manager - Rates of City Utilities	10.02
Manager - Reports	6.14
Manager - Salary	2.07
Martial Law - Mayor Responsible	2.06
Materials - Building, Authority	1.02
Mayor - Acting	2.06
Mayor - Ceremonial Head of City	2.06
Mayor - Codification Certificate	3.10
Mayor - Disability	2.06
Mayor - Duty to Redetermine Ward Boundaries	2.03
Mayor - Duties	2.06
Mayor - Elected at Large	2.03
Mayor - Generally	2.06
Mayor - Martial Law Duties	2.06
Mayor Pro Tem	2.06
Mayor - Service of Papers	2.06
Mayor - Sign Ordinances	3.07
Mayor - Term	2.03
Mayor - Voting	3.01
Meetings - Council	3.01
Meetings - Council Public	3.01
Meetings - Special Council	3.01
Merit System - Establishment	11.06
Minutes - Council	3.01
Minutes - Secretary of Council	3.02
Misdemeanors - Ordinance Required	3.05
Motions - General	3.04
Motions - Publication	3.07
Motions - Votes Required	3.04
Municipal Elections - <u>See</u> Elections	
Name of City	1.01
Newspapers - Election Notice	4.02
Nominations - <u>See</u> Elections	
Notice - Board of Equalization Meeting	6.03
Notice - Election	4.02
Notice - Levy of Added Tax	6.02
Notice - Person Responsible for Damage	11.08
Notice - Primary Elections	4.03
Notice - Special Elections	4.04
Nuisances - Authority to Abate	1.02

# INDEX (continued)

Subject	Section
Oath of Office	2.03 & 5.04
Occupations - Authority to Regulate	1.02
Occupancy - Buildings, Authority	1.02
Officers - See Mayor, Clerk, Manager, Mayor Pro Tem	
Officers - Accepting Favors	11.07
Officers - Bonds	11.01
Officers - Election	2.03 & 4.02
Officers - Generally	2.01 & 5.04
Officers - Interest in City Contracts	11.07
Officers - Oath	5.04
Officers - Personal Liability	6.06
Officers - Removal	11.07
Offices - Incompatible	2.04
Official Publication	3.07
Ordinance - Amendment	3.09
Ordinance - Code as Evidence	3.10
Ordinances - Adoption by Reference	3.07
Ordinances - Clerk Attest	3.07
Ordinances - Codification	3.10
Ordinances - Effective Date	3.06 & 3.08
Ordinances - Emergency	3.06
Ordinances - Franchise, Costs	9.03
Ordinances - General	3.04
Ordinances - Penalty Prescribed	3.05
Ordinances - Procedure	3.05
Ordinances - Publication	3.07
Ordinances - Repeal	3.09
Ordinances - Required if Penalty Imposed	3.05
Ordinances - Readings, Two	3.04
Ordinances - Revision	3.10
Ordinances - Sale of City Utility	10.06
Ordinances - Sale of Property	11.02
Ordinances - Signing	3.07
Ordinances - Two Readings Required	3.05
Ordinances - Vote Required	3.04
Ordinances - Utility Leasing	10.05
Ordinances - Zoning Amendment	3.09
Planning Commission	7.01
Platting	7.01
Playgrounds - Planning	7.01
Poor Relief - Taxes	6.02
Police - Civil Service	11.06
Police - Emergency Command by Mayor	2.06
Powers of City - Generally	1.02
Preamble	1.00
Premiums on bonds	11.01

# INDEX (continued)

Subject	Section
Primary Elections	4.03
Procedure - Borrowing	1.04
Procedure - Council	3.03
Procedure - Emergency Ordinance	3.06
Procedure - Eminent Domain	8.02
Procedure - Improvements	7.04
Procedure - Ordinance	3.05
Procedure - Vacate Streets	11.03
Proceedings - <u>See</u> Eminent Domain, Vacating Streets, etc.	
Process - Service upon Mayor	2.06
Property - Acquisition	8.01
Public Buildings	7.01
Public Funds	6.01
Public Improvements - <u>See</u> Improvements	
Public Library - Tax	6.02
Public Ownership - Utilities	10.01
Public Places - Authority to Control	1.02
Public Property - Acquisition	8.01
Public Property - Damage by Utility	9.06
Public Records - Keeping	5.04
Public Utilities - Authority	1.02
Public Works - Authority	1.02
Public Works - Planning	7.01
Publication - Adoption by Reference	3.07
Publication - Codification of Ordinances	3.10
Publication - Generally	3.07
Publication - Legal Newspaper	3.07
Publication - Motions	3.07
Publication - Ordinances	3.07
Publication - Ordinance Effective Date	3.08
Publication - Resolutions	3.07
Purchases - City, Bulk for Utilities	10.03
Purchases - Conditional Sales Contract	6.18
Purchases - Easements for Utilities	8.01
Purchases - Generally (Purchasing Agent)	5.05
Purchases - Limited	6.06
Quorum - Council	3.03
Rates - Publicly Owned Utilities	10.02
Reading - Unanimous Consent to Waive	3.04
Readings - Two Required	3.05
Real Property - Authority	1.02
Real Property - Outside City Limits	1.04
Real Property - Sales	11.02
Records - Public	5.04
Records - Public, Council Meetings	3.01
Redistricting	2.03

# INDEX (continued)

Subject	Section
Refuse Collection - Special Assessments	1.02
Registration of Voters	4.01
Regulations - Authority	1.02
Regulations - Buildings, Authority	1.02
Regulations - City Utilities	10.02
Regulations - Local Improvements Generally	1.02
Regulations - Police Authority Generally	1.02
Regulations - Public Works Generally	1.02
Regulations - Publications	3.07
Regulations - Sanitary, Authority	1.02
Regulations - Streets, Authority	1.02
Regulation - Utilities	9.04
Regulation - Utilities, General Authority	1.02
Removal from Office	2.05
Remuneration - <u>See</u> Salaries	
Repeal - Ordinances	3.09
Reports - Manager	6.14
Reports - Mayor	2.06
Research	2.08
Residence - Council	2.03
Resignation - Member of Council	2.05
Resolutions - Effective Date	3.08
Resolutions - General	3.04
Resolutions - May be Published	3.07
Resolutions - Vote Required	3.04
Revision of Ordinances	3.10
Revolving Fund	6.12
Safety - General Authority	1.02
St. Louis Park Village - Powers Transferred	1.02
Salaries - Councilmembers	2.07
Salaries - Manager	2.07
Salaries - Mayor and Council Stopped, Redistricting	2.03
Salaries - Not Paid, Council and Mayor	2.03
Salaries - Reduction	6.07
Sale of Property - Authority	1.02
Sales - Real Property	11.02
Seal - Authorized	1.02
Secretary of Council - Duties	3.02
Secretary of Council - May be Clerk	5.04
Self Government Authority	1.02
Service of Process	2.06
Sewers - <u>See</u> Utilities	
Soliciting Favors	11.07
Special Assessments - <u>See</u> Improvements	
Special Council Meetings	3.01
Special Elections - <u>See</u> Elections	
Statute of Limitation	11.04
Streets - Authority Generally	1.02

# INDEX (continued)

Subject	Section
Streets - Planning	7.01
Streets - Surfacing Contracts	5.06
Streets - Vacation	11.03
Streets - Utilities, Facilities	9.06
Streets - Utilities Repair	9.06
Subpoena - Council	2.09
Suits - <u>See</u> Eminent Domain	
Suits - Authority	1.02
Suits - Contribution	11.08
Suits - Damage	11.04
Suits - Injuries	11.04
Suits - Notice to Person Responsible for Damage	11.08
Suits - Service of Papers	2.06
Suits - Subrogation	11.08
Suits - Voidable Contracts	11.07
Summons and Complaint	2.06
Surety Bonds - <u>See</u> Bonds, Official	
Survey	2.09
Taxes - Added Levy, Levies	6.02
Taxes - Authority	1.02
Taxes - Generally	6.01 et seq
Taxes - Levy & Collection	6.09
Taxes - Limits	6.02
Taxes - Settlement	6.10
Telephone - <u>See</u> Franchises and Utilities	
Term - Beginning	2.03
Term - CouncilMembers	2.03
Term - Mayor	2.03
Term - Vacancy Filled	2.05
Tolls - Authority	1.02
Trades - Authority to Regulate	1.02
Transfer of Funds	6.07
Transfer of Interfund Loans	6.12
Transportation - Planning	7.01
Treasurer - All Receipts	6.13
Treasurer - Bond and Premium	11.01
Treasurer - Disbursements	6.11
Treasurer - Funds	6.12
Trust Fund	6.12
Unexpired Term - Vacancy	2.05
Utilities - <u>See</u> also Franchises	
Utilities - Acquisition	8.01 & 10.0
Utilities - Books Inspected	9.06
Utilities - Build	10.02
Utilities - City Lease	10.05
Utilities - City Purchases in Bulk	10.03

# INDEX (continued)

Subject	Section
Utilities - City Sale	10.06
Utilities - City Uses	10.04
Utilities - Easements	8.01
Utilities - Eminent Domain	8.05
Utilities - Facilities	9.06
Utilities - Favors	11.07
Utilities - Fund	6.12
Utilities - Planning	7.02
Utilities - Public Ownership	10.01
Utilities - Rates and Charges	9.05
Utilities - Regulation	9.04
Utilities - Service	9.05
Vacancy - Conviction of Felony	2.05
Vacancy - Failure to Qualify	2.05
Vacancy - Felony	2.05
Vacancy - General	2.05
Vacancy - Moving Away	2.05
Vacancy - Removal from Ward	2.03
Vacancy - Term of Appointee	2.05
Vacancy - Three Months Absence	2.05
Vacation of Streets	11.03
Village of St. Louis Park - Powers	1.02
Village of St. Louis Park - Powers Transferred	1.02
Village of St. Louis Park - Rights go to City	1.03
Voters - <u>See</u> Elections	
Voting - Councilmembers	3.01
Voting - Council Generally	3.04
Voting - Council Majority Defined	3.04
Voting - Mayor	3.01
Voting - Mayor as Council Member	2.07
Voting - Record Vote Required	3.04
Wards - Boundary Changes	2.03
Wards - Councilmembers Elected	2.03
Wards - Description	2.03
Wards - Redistricting	2.03
Water - <u>See</u> Utilities	
Welfare of City - General Powers	1.02
Zoning	7.01
Zoning - Plats	7.01



# AMENDMENTS

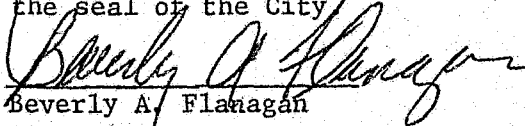
Sections 4.03, 4.06	November 4, 1958	Election	Eff. 12-4-58
Section 2.08	December 8, 1959	Election	Eff. 1-8-60
Section 2.05	November 8, 1960	Election	Eff. 12-8-60
Sections 4.02, 5.06, 6.04, 6.06, 6.14	November 8, 1966	Election	Eff. 12-8-66
Section 2.04	June 14, 1971	Ord. 1149	Eff. 9-15-71
Section 4.08	July 19, 1971	Ord. 1158	Eff. 10-20-71
Section 5.02(b)	August 30, 1971	Ord. 1163	Eff. 10-31-71
Section 2.03	March 5, 1973	Ord. 1211	Eff. 6-6-73
Sections 5.05, 5.06	May 29, 1973	Ord. 1224	Eff. 8-29-73
Section 6.14	May 29, 1973	Ord. 1225	Eff. 8-29-73
Section 11.04	May 29, 1973	Ord. 1226	Eff. 8-29-73
Sections 11.04, 11.10, 11.11, 11.13, 11.14	February 3, 1975	Ord. 1278	Eff. 5-7-75
Sections 2.03, 2.06, 2.07, 2.08, 2.09, 2.10	February 3, 1975	Ord. 1279	Eff. 5-7-75
Sections 3.03, 3.06, 3.09	April 7, 1975	Ord. 1288	Eff. 7-9-75
Sections 5.01, 5.02, 5.03	April 7, 1975	Ord. 1289	Eff. 7-9-75
Sections 6.02, 6.03, 6.04, 6.05, 6.09, 6.10, 6.14, 6.15, 6.16, 6.17	April 7, 1975	Ord. 1290	Eff. 7-9-75
Sections 7.02, 7.04	April 7, 1975	Ord. 1291	Eff. 7-9-75
Sections 2.05, 4.03, 4.04	February 7, 1977	Ord. 1362	Eff. 5-17-77
Sections 2.03, 2.05, 3.01	November 8, 1977	Election	Eff. 12-15-77
Section 2.07	November 20, 1978	Ord. 1432	Eff. 12-1-79
Section 2.09	November 6, 1979	Election	Eff. 12-6-79
Chapter 12	November 4, 1980	Election	Eff. 12-4-80
Section 3.07	February 18, 1982	Ord. 1540	Eff. 4-22-82
Section 4.05	July 19, 1982	Ord. 1567	Eff. 10-26-82
Section 2.03	November 2, 1982	Election	Eff. 12-2-82
Sections 1.03, 1.04, 1.05, 2.03(b), 2.06, 2.07 (a)-(d), 3.07 (a)(b), 4.06, 5.04(a)(b), 5.05, 5.06, 6.02, 6.04, 6.05, 6.06, 6.07, 6.08, 6.11, 6.12, 6.14, 6.15(b), 6.17(a)(b), 6.18(b)(c), 8.01, 8.02, 9.02, 9.03, 9.05, 9.06(a)(b), 11.01 - 11.05, 11.06, and 11.07	March 21, 1983	Ord. 1593	Eff. 6-28-83
Section 2.03 (At Large A & B)	January 21, 1985	Ord. 1644	Eff. 4-28-85
Section 1.00 (Preamble)	September 15, 1986	Ord. 1695	Eff. 10-7-86
Sections 2.04, 3.04, 3.07, 4.06, 4.07, 5.01, 5.05, 5.06, 6.17, 11.03, 11.04, 12.01(3), 12.03	May 4, 1987	Ord. 1716-87	Eff. 8-10-87

ORDINANCE

STATE OF MINNESOTA     )  
COUNTY OF HENNEPIN    )ss  
CITY OF ST. LOUIS PARK)

The undersigned duly qualified and acting City Clerk of the City of St. Louis Park hereby certifies the following:

- 1) The attached is a full, true and correct copy of the original Ordinance No. 1716-87, adopted May 4, 1987, and on file in the Office of the City Clerk.
- 2) The City Council meeting was held upon due call and notice and seven members were present thereat.
- 3) WITNESS my hand and the seal of the City

  
Beverly A. Flanagan  
City Clerk

July 13, 1987  
Date

( S E A L )

MAY 4, 1987

8a

ORDINANCE NO. **171687**

AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE  
ST. LOUIS PARK HOME RULE CHARTER AS LISTED BELOW INCLUDING  
DELETION OF ALL GENDER REFERENCE

THE CITY OF ST. LOUIS PARK DOES ORDAIN:

Section 1. On March 10, 1987, the St. Louis Park Charter Commission unanimously recommended that the City Council enact the following/attached Charter amendments by ordinance.

Sec. 2. The following sections of the St. Louis Park Home Rule Charter are amended to read as attached:

- 2.04, Disqualification from Appointive Office,
- 3.04, Ordinances, Resolutions and Motions,
- 3.07, Official Publications,
- 4.06, Nominations by Petition,
- 4.07, Nomination Petitions,
- 5.01, The City Manager,
- 5.05, Purchases and Contracts,
- 5.06, Contracts - How Let,
- 6.17, Debt and Debt Anticipation Certificates,
- 11.03, Vacation of Streets,
- 11.04, Damage Suits,
- 12.01(3), Contribution, and
- 12.03, Organization of Personal Campaign Committee.

Also revised are gender reference, punctuation and grammar.

## CHAPTER 2

### Government and Officers

**Section 2.01. Council-Manager Plan.** The form of government established by this charter shall be known as the "Council-Manager Plan." All discretionary powers of the City, both legislative and executive, shall vest in and be exercised by the City Council. It shall have complete control over the City administration, but shall exercise this control exclusively through the City Manager and shall not itself attempt to perform any administrative work.

**Section 2.02. Boards.** The Council shall itself be, and shall perform the duties and exercise the powers of all local boards and commissions, except as herein otherwise provided. It may, however, by ordinance create commissions with advisory powers to investigate any subject of interest to the municipality.

**Section 2.03 Elected Officers.** (a) The Council shall be composed of a Mayor and six Councilmembers who shall be qualified voters. The Mayor shall be elected at large for a four-year term. Two Councilmembers shall be elected at large for terms of four years each, except that the office elected at large in 1983 shall be designated "Councilmember at Large A," and shall be elected for a four-year term. The office elected at large in 1985 shall be designated "Councilmember at Large B," and shall be elected for a two-year term. In 1987 and thereafter, the separate offices of Councilmember at Large "A" and Councilmember at Large "B" shall each be elected to four-year terms.

Four Councilmembers shall be elected for four-year terms from the City's four separate wards, except the Ward II and Ward IV Councilmembers elected in 1983 shall each be elected for two-year terms; in 1985 and thereafter these offices shall be elected to four-year terms. The Councilmember elected from a ward must be a resident of such ward. Should that member cease to be a resident of such ward, there then exists a vacancy in the office of Councilmember from said ward; excepting that a change in ward boundaries during the term of office shall not disqualify the member from serving out the term.

The term of Mayor and of each Councilmember shall begin on the first regularly scheduled meeting in the month following the month in which the regularly scheduled municipal election is held, as specified in Section 4.02 of this Charter, and shall end when a successor has been duly elected and has qualified. The Council shall be the judge of the election of its members.

The City shall be divided into four separate wards, the boundaries of which shall be established from time to time by ordinances duly adopted by the Council, and based on findings of the Council that the wards so established are of as near equal size in both population and area as practicable. After each decennial census of the United States, the Council shall redetermine ward boundaries, and, if the Council shall fail to do so within a period of two years after the official certification of the decennial census, no further remuneration shall be paid to the Mayor or Councilmembers until the wards of the City are duly redetermined as required by this charter.

(b) **Oath of Office.** Every officer of the City shall, before entering upon the duties of this 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 the State of Minnesota, and to discharge faithfully the duties devolving upon me as (mayor or councilmember) of this City to the best of my judgment and ability."

**Section 2.04.. Disqualification for Appointive Office.** No member of the Council shall be appointed City Manager, or acting City Manager, nor shall any member hold concurrently any other paid municipal office or employment under the City. Until one year after the expiration of the term as Mayor or Councilmember, no former member shall be appointed to any paid office or employment under the City other than Mayor or Councilmember which office or employment was created or the emoluments of which were increased during his/her term as Councilmember.

**Section 2.05. Vacancies in the Council.** A vacancy in the Council shall be deemed to exist in case of the failure of any person elected thereto to qualify on or before the date of the second regular meeting of the new Council, or by reason of the death, resignation, removal from office, removal from the City, removal of a ward Councilmember from his/her ward, continuous absence from the City for more than three months, or conviction of a felony of any such person whether before or after his/her qualification, or by reason of the failure of any Councilmember without good cause to perform any of the duties of membership in the Council for a period of three months. In each such case, the Council shall forthwith by resolution declare such vacancy to exist and appoint an eligible person to fill the vacancy. The term of the person so appointed shall extend to the first regularly scheduled meeting in the month following the month in which the regularly scheduled municipal election is held, as specified in Section 4.02 of this Charter, provided that if such vacancy occurs less than 120 days prior to the next regular City or State election, and the unexpired term extends more than one year, the term of the person so appointed shall extend to the first regularly scheduled meeting in the month following the month in which the regularly scheduled municipal election is held, as specified in Section 4.02 of this Charter. If such a vacancy occurs 120 days or more prior to a regular State election, the Council shall call a special election to be held concurrently with the State election within the City; if the office is Mayor or Councilmember at Large; and within the ward affected if the office is a Ward Councilmember, for the purpose of electing an eligible person to fill the unexpired term following expiration of the term of the person appointed by the Council in the interim.

**Section 2.06. The Mayor.** The Mayor shall be the presiding officer of the Council, except that a mayor pro tem shall be chosen to hold office at the pleasure of the Council, who shall act as Mayor in case of the Mayor's disability or absence from the City. The Mayor shall vote as a member of the Council. The Mayor shall exercise all powers and perform all duties conferred and imposed upon the Mayor by this charter, the ordinances of the City and laws of the State. The Mayor shall be recognized as the official head of the City for all ceremonial purposes, by the courts for the purpose of serving civil process, and by the governor for the purposes of martial law.

The Mayor shall study the operations of the City government and shall report to the Council any neglect, dereliction of duty, or waste on the part of any officer or department of the City. In time of public danger or emergency the Mayor may, with the consent of the Council, take command of the police, maintain order and enforce the law.

**Section 2.07. Compensation.** (a) The Council shall set and may by ordinance increase or decrease the salaries of the Mayor and Councilmembers in a reasonable manner; provided, however, that no such ordinance shall be adopted increasing or decreasing any such salary until a public hearing has been held thereon after publication of a notice setting forth the proposed ordinance and the time and place of the hearing with respect thereto in the official newspaper at least one week in advance of such hearing. No such ordinance increasing or decreasing any such salary shall become effective before the first day in December following the next municipal election, or such later date as is fixed in the ordinance; and if, within thirty days after approval of such ordinance increasing or decreasing any such salary, a petition asking for a referendum on such ordinance is signed by registered voters equal in number to 15% of those who voted at the last regular municipal election and is filed with the City Clerk, such ordinance shall not go into effect until it is first approved by a majority of those voting thereon at a regular or special City election.

(b) When authorized by the Council, its members shall be remunerated for their reasonable expenses incurred in connection with the City's business.

(c) The City Manager and all subordinate officers and employees of the City shall receive such reasonable compensation as may be fixed by the Council.

**Section 2.08. Investigation of City Affairs.** The Council shall have power to make investigations into the City's affairs, to subpoena witnesses, administer oaths, and compel the production of books, papers, and other documentary evidence. The Council may at any time provide for an examination or audit of the accounts of any officer or department of the City government, or it may cause to be made any survey or research study of any problem affecting the City or its inhabitants. Each such investigation shall be authorized by resolution of the Council.

**Section 2.09. Interference with Administration.** Except for the purpose of inquiry, the Council and its members shall deal with and control the administrative services solely through the City Manager, and neither the Council nor any member thereof shall give orders to any of the subordinates of the City Manager, either publicly or privately. If this section is violated by any member or members of the City Council, such violation shall result in the public censure by the Council of the offending party or parties, and shall, in addition, result in the imposition of a fine to be paid to the City in an amount equal to one month's compensation payable to such member or members in performance of duties as a Councilmember at the time of violation. The determination as to whether any violation of the provisions of this section has occurred shall be made by the Council pursuant to its own inquiry and by a two-thirds (2/3) majority of the entire Council excluding the Councilmember or members being charged with the violation.

## CHAPTER 3

### Procedure of Council

**Section 3.01. Council Meetings.** On the first regularly scheduled meeting in the month following the month in which the regularly scheduled municipal election is held, as specified in Section 4.02 of this Charter, the Council shall meet at the City Hall at the usual time for the holding of Council meetings. At this time, the newly elected members of the Council shall assume their duties. Thereafter the Council shall meet at such times as may be prescribed by resolution, except that it shall meet at a fixed time not less than once a month. The Mayor or any three members of the Council may call special meetings of the Council upon at least twelve hours' notice to each member of the Council. Such notice shall be delivered personally to each member or be left at the member's usual place of residence with a person of suitable age and discretion then residing therein, or written notice thereof shall be left in a conspicuous place at the residence if no such person be found there. The presence of any member of the Council at a special meeting shall constitute a waiver of any formal notice unless the Councilmember appears for the special purpose of objecting to the holding of such meeting. The Council may provide by ordinance a means by which a minority may compel the attendance of absent members. All meetings of the Council shall be public and any person shall have access to the minutes and records thereof at all reasonable times. The Mayor and each Councilmember shall have one vote.

**Section 3.02. Secretary of Council.** The Council shall choose a secretary and such other officers and employees as may be necessary to serve at its meetings. The secretary shall keep the journal of minutes or proceedings and such other records and perform such other duties as may be required by this charter or by vote of the Council. The Council may designate any official or employee of the City, except the City Manager or 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, and shall keep a journal of its proceedings. A majority of all the Council members shall constitute a quorum to do business, but a smaller number may adjourn from time to time.



**Section 3.07. Signing and Publication of Ordinances and Publication of Minutes.** (a) **Official Publications.** The Council shall regulate by ordinance, subject to the requirements of this charter, the manner in which official publicity shall be given to the holding of elections, ordinances, resolutions, requests for bids upon contemplated purchases and contracts, and all other matters whatsoever which require publication either by the provisions of this charter or by the laws of Minnesota. It shall annually designate a legal newspaper of general circulation in the City as the official newspaper in which shall be published such measures and matters as are by the laws of this state and this charter required to be so published, and such other matters as the Council may deem it advisable and in the public interest to have published in this manner. The Council may in its discretion, in addition to the publications required by this charter, provide for the publication of the annual budget, ordinances, resolutions, election notices, and such other measures and matters as it may deem wise, by mailing or the posting of typewritten, mimeographed, photocopied, or printed copies thereof upon bulletin boards located in public places of the City in such number and for such period of time as the Council may direct in each case. Nothing herein contained shall be construed as authorizing or attempting to authorize any violation of the constitution or the statutes of the state in any matter which is of state concern or which is exclusively under state control.

(b) Every ordinance passed by the Council shall be signed by the Mayor, or by three other members of the Council, and attested to by the City Clerk upon passage thereof and shall be by the City Clerk filed and recorded in a book kept for that purpose and preserved. Every ordinance shall be published at least once in the official newspaper of the City. If the 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 direct that only the title of the ordinance and a summary be published with notice that a full printed copy of the ordinance is available for inspection with the City Clerk. 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. All resolutions and motions duly passed at each meeting of the Council may, at the discretion of the Council, be published in full or in part in the official newspaper of the City. Any administrative rule or regulation of any department of the State of Minnesota affecting the City, or any statute of the State of Minnesota, or any published code, specifications, or regulations prepared by an official or unofficial organization for general circulation and use may be adopted and incorporated in an ordinance by reference thereto and by marking three copies thereof as "official copies" and filing them for reference and inspection in the office of the City Clerk, and the publication

## CHAPTER 4

### Nominations and Elections

**Section 4.01. General Election Laws to Apply.** Except as hereinafter provided, the general laws of the State of Minnesota pertaining to registration of voters and the conduct of primary and general elections shall apply for all municipal elections of such officers as are specified in this charter. The Council shall, through ordinances duly adopted in compliance with such state laws and this charter, adopt suitable and necessary regulations for the conduct of such elections.

**Section 4.02. Regular Municipal Election.** A regular municipal election shall be held on the first Tuesday after the first Monday in November, 1967, and on the same day every two years thereafter, at such place or places as the City Council may designate by resolution. The Council may divide the City into as many voting precincts as it may from time to time deem necessary. Each ward shall constitute at least one voting precinct and no precinct shall be in more than one ward. At least fifteen days' notice shall be given by the City Clerk of the time and places of holding such election, and of the officers to be elected by posting a notice thereof in at least one public place in each voting precinct and by publishing a notice thereof at least once in the official newspaper of the City, but failure to give such notices shall not invalidate such election.

**Section 4.03. Primary Elections.** The Council shall, whenever three or more candidates have filed for any City-wide office, or for Councilmember of any ward, or wards, provide through ordinance or resolution for a primary election to be held, City-wide or in any particular ward, or wards, and such primary election shall be held on a date six (6) weeks prior to the general City election. At least fifteen days' notice shall be given by the Clerk of the time and places of holding such election, and of the officers to be elected by posting a notice thereof in at least one public place in each voting precinct where the election is held, and by publishing a notice thereof at least once in the official newspaper of the City, but failure to give such notice shall not invalidate such election.

**Section 4.04. Special Elections.** The Council may by resolution order a special election, fix the time of holding the same, and provide all means for holding such special election, provided that three weeks' published notice be given of said special election. The procedure at such elections shall conform as nearly as possible to that herein provided for other municipal elections.

**Section 4.05. Judges of Election.** The Council shall at least twenty-five (25) days before each municipal election appoint three qualified voters to be judges of election for each precinct, or as many more as may be determined by the Council.

**Section 4.06. Nomination by Petition.** The mode of nomination of all elective officers provided for by this charter shall be by petition. The name of any elector of the City shall be printed upon the ballot whenever a petition as hereinafter prescribed shall have been filed in his/her behalf with the City Clerk. Such petition shall be signed by at least fifteen currently registered electors qualified to vote for the office in question. No elector shall sign petitions for more candidates than the number of places to be filled at the election, and should the elector do so his/her signature shall be void as to the petition or petitions last filed. All nomination petitions shall be in the hands of the City Clerk at least ninety (90) days before the general city election. The Clerk shall prepare the ballots with names of the candidates for an office in a manner provided by ordinance. Each petition, when presented, must be accompanied by a twenty dollar (\$20) filing fee.

**Section 4.07. Nomination Petitions.** The signatures to the nomination petition need not all be appended to one paper, but to each separate paper there shall be attached an affidavit of the circulator thereof stating the number of signers of such paper and that each signature appended thereto was made in the circulator's presence and is the genuine signature of the person whose name it purports to be. With each signature shall be stated the place of residence of the signer, giving the street and number or other description sufficient to identify the same. The nominee shall indicate by an endorsement upon the petition that he/she will accept the office if elected thereto. The form of the nomination petition shall be substantially as follows:

### NOMINATION PETITION

We, the undersigned, electors of the City of St. Louis Park, hereby nominate \_\_\_\_\_, whose residence is \_\_\_\_\_, for the office of \_\_\_\_\_ to be voted for at the election to be held on the \_\_\_\_\_ day of \_\_\_\_\_; and we individually certify that we are qualified electors and that we have not signed more nomination petitions of candidates for this office than there are persons to be elected thereto.

Name

Street and Number

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_, being duly sworn, deposes and says that he/she is the circulator of the foregoing petition paper containing signatures, and that the signatures appended thereto were made in the circulator's presence and are the genuine signatures of the persons whose names they purport to be.

Signed \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_.

This petition, if found insufficient by the City Clerk, shall be returned to \_\_\_\_\_ at \_\_\_\_\_ Number \_\_\_\_\_ Street.

I hereby indicate my willingness to accept the office of \_\_\_\_\_ if duly elected thereto.

**Section 4.08. Canvass of Elections and Taking of Office.**  
The Council shall meet and canvass the election returns within seven days after any regular or special elections, and shall make full declaration of the results as soon as possible, and file a statement thereof with the City Clerk, and said statement shall be made part of the minutes. This statement shall include:

- (a) the total number of good ballots cast;
- (b) the total number of spoiled or defective ballots;
- (c) the vote for each candidate with a declaration of those who were elected;
- (d) a true copy of the ballots used;
- (e) the names of the judges and clerks of election;
- (f) such other information as may seem pertinent.

## CHAPTER 5

### Administration of City Affairs

**Section 5.01. The City Manager.** The City Manager will be the chief administrative officer of the City. The Manager shall be chosen by the Council solely on the basis of training, experience, and administrative qualifications. The choice shall not be limited to inhabitants of the City or state. candidates The City Manager shall be appointed for an indefinite period and be removed by the Council at will, provided, however, that if removed at any time after three years of service the City Manager may within fifteen days after said removal demand written charges and a public hearing on the same before the Council; but pending and during such hearing the Council may suspend the City Manager from office, with or without pay. Such public hearing shall take place within thirty days after the demand for the same and the written charges shall be furnished to the City Manager by the Council at least ten days before the hearing. During the suspension, absence, or disability of the City Manager, the duties of this office shall be performed by some properly qualified person designated by the Council as acting Manager.

**Section 5.02. Powers and Duties of the City Manager.** Subject to the provisions of this charter and any regulations consistent therewith which may be adopted by the Council, the City Manager shall control and direct the administration of the City's affairs. The powers and duties of the City Manager shall be:

(a) To enforce this charter and the laws, ordinances, and resolutions of the City;

(b) To appoint with the consent and approval of the Council all department heads and subordinate officers as set forth in Section 5.04 in the City charter; to appoint all other employees; to remove for cause, with the consent and approval of the Council, all permanent employees;

(c) To exercise control over all departments and divisions of the City administration created by this charter or which may be hereafter created by the Council;

(d) To attend all meetings of the Council, with the right to take part in the discussions but having no vote; but the Council may at its discretion exclude the City Manager from meetings at which removal of the City Manager is considered;

(e) To recommend to the Council for adoption such measures as may be deemed necessary for the welfare of the people and the efficient administration of the City's affairs;

(f) To keep the Council fully advised as to the financial condition and the needs of the City, and to prepare and to submit to the Council the annual budget;

(g) To perform such other duties as may be prescribed by this charter or required of the City Manager by ordinances or resolutions adopted by the Council.

**Section 5.03. Departments of Administration.** The Council may create such offices, departments, divisions, and bureaus for the administration of the City's affairs as may seem necessary, and from time to time alter the powers and organization of the same. It may enact in the form of an ordinance such administrative code for the City as may seem necessary and may amend the same from time to time.

**Section 5.04. Subordinate Officers.**

(a) There shall be a City Clerk, City Treasurer, City Attorney, and such other officers subordinate to the City Manager as the Council may provide for by ordinances. The City Attorney shall be appointed by the Council. The City Clerk shall be subject to the direction of the City Manager 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 shall be ordained by the Council. The City Clerk may be designated to act as secretary of the Council. 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.

(b) **Oath of Office.** Officers of the City shall, before before entering upon the duties of offices, 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 the State of Minnesota, and to discharge faithfully the duties devolving upon me as (city manager, etc.) of this City to the best of my judgment and ability."

**Section 5.05. Purchases and Contracts.** The City Manager shall be the chief purchasing agent of the City. All purchases on behalf of the City shall be made, and all contracts let, by the City Manager, provided that the approval of the Council must be given whenever the amount of such purchase or contract exceeds \$15,000. All contracts, bonds, and instruments of every kind to which the City shall be a party shall be signed by the Mayor on behalf of the City as well as by the City Manager, and shall be executed in the name of the City.

**Section 5.06. Contracts - How Let.** In all cases of contracts for the purchase of merchandise, materials, equipment, or for any kind of construction work undertaken by the City, which require an expenditure of more than \$15,000 unless the Council shall by an emergency ordinance otherwise provide, the City Manager shall advertise for bids by at least one week's published notice in the official newspaper. Contracts and purchases in excess of \$15,000 shall be let to the lowest responsible bidder as determined by the Council. The Council may, however, reject any and all bids. Nothing contained in this section shall prevent the Council from contracting for work with patented processes or from the purchasing of patented appliances.

**Section 5.07. Further Purchase Regulations.** Further regulations for the making of bids and the letting of contracts may be made by ordinance, subject to the provisions of this charter.

**Section 6.05. Passage of the Budget.** The budget shall be considered at the first regular monthly meeting of the Council in September, and the Council shall hold subsequent meetings from time to time until all the estimates have been considered. The meetings shall be so conducted as to give interested citizens a reasonable amount of time in which to be heard and an opportunity to ask questions. The budget estimates shall be read in full, and the City Manager shall explain the various items thereof as fully as may be deemed necessary by the Council. The annual budget finally agreed upon shall set forth in such details as may be determined by the City Council the complete financial plan of the City for the ensuing fiscal year. It shall indicate the sums to be raised and from what sources, and the sums to be spent, and for what purposes, according to the plan indicated in Section 6.04. The total sum appropriated shall not exceed the total estimated revenue. The Council shall adopt the budget prior to October 10 by ordinance which shall set forth the total of the budget and the totals of the major divisions of the budget, according to the plan indicated in Section 6.04.

**Section 6.06. Enforcement of the Budget.** It shall be the duty of the City Manager to enforce strictly the provisions of the budget. The City Manager shall not approve any order for any expenditure unless an appropriation has been made in the budget, nor for any expenditure covered by the budget unless there is sufficient unencumbered balance left after deducting the total past expenditures and the sum of all outstanding orders and encumbrances. No officer or employee of the City shall place any order or make any purchases except for the purposes and to the amounts authorized in the budget. Any obligation incurred by any person in the employ of the City for any purpose not authorized in the budget or for any amount in excess of the amount therein authorized shall be a personal obligation upon the person incurring the expenditure.

**Section 6.07. Alterations in the Budget.** After the budget shall have been duly adopted, the Council shall not have power to increase the amounts therein fixed, whether by the insertion of new items or otherwise, beyond the estimated revenues, unless the actual receipts shall exceed such estimates, and in that event not beyond such actual receipts. The sums fixed in the budget shall be and become appropriated at the beginning of the fiscal year for the several purposes named therein, and no other. The Council may at any time, by ordinance passed by a vote of at least five members of the Council, reduce salaries or reduce the sums appropriated for any purpose by the budget, or by vote of at least five members of the Council authorize the transfer of sums from the unexpended balances of the budget to other purposes.



**Section 6.17. Debt and Tax Anticipation Certificates.**

(a) 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, as provided for in the budget, or if any calamity or other public emergency should subject the City to the necessity of making extraordinary expenditures, then the Council may authorize the sale of emergency debt certificates to bear interest at not more than the rate established by State law and for terms not to exceed eighteen months. A tax sufficient to redeem all such certificates at maturity shall be levied as part of the budget of the following year. The authorization of an issue of such emergency debt certificates shall take the form of an ordinance approved by at least five of the members of the Council; the ordinance may, if deemed necessary, be passed as an emergency ordinance.

(b) For the purpose of providing necessary money to meet authorized expenditures, the Council may issue certificates of indebtedness in any year prior to the receipt of taxes payable in such year, such certificates to be repaid out of such taxes before the end of such year, on such terms and conditions as it may be determined, bearing interest at a rate not to exceed that established by State law; provided that such certificates outstanding at any one time shall not exceed forty percent of the tax levy payable in the current year belonging to the fund for the benefit of which the borrowing is authorized.

**Section 6.18. Bonds Outside the Debt Limit.** Without limit as to amount, the Council may issue bonds for legal purposes outside of the debt limit:

- (a) for the creation and maintenance of a permanent improvement revolving fund,
- (b) for extending, enlarging, or improving revenue-producing public utilities of whatever nature, owned and operated by the City, or of acquiring property needed in connection therewith,
- (c) for public improvements payable from special assessments.

The Council may also purchase equipment on conditional sale contracts, provided that the installment payments do not extend beyond the estimated useful life of the equipment so purchased.

## **CHAPTER 11**

### **Miscellaneous Provisions**

**Section 11.01. Official Bonds.** The City Manager, the City Clerk, and City Treasurer and such other officers or employees of the City, as may be provided for by ordinance, shall each, before entering upon the duties of their respective offices or employment, give a corporate surety bond to the City in such form and in such amount as may be fixed by the Council as security for the faithful performance of their respective official duties and the safekeeping of the public funds. Such bonds shall be approved by the City Council and approved as to form by the City Attorney and they shall be filed with the City Clerk. The premiums on the corporate surety bonds hereinbefore provided for shall be paid by the City.

**Section 11.02. Sale of Real Property.** No real property of the City shall be sold or disposed of except by ordinance. The proceeds of any such sale shall be used as far as possible to retire any outstanding indebtedness incurred by the City in the purchase, construction, or improvement of this or other property used for the same public purpose; but if there be no such outstanding indebtedness, then the Council may by a resolution adopted by an affirmative vote of at least five members of the Council designate some other public use for such proceeds.

**Section 11.03. Vacation of Streets.** The Council shall have the exclusive power, by ordinance passed by a vote of at least five members of the Council, to vacate or discontinue highways, streets, and alleys within the City. Such vacations may be made only after notice to affected property owners, and after hearing, and upon such further terms, and by such procedure as the Council may, by ordinance, prescribe. A record of each such vacation shall be filed in the office of the County Recorder of Hennepin County.

**Section 11.04. Damage Suits.** No action shall be maintained against the City on account of any injuries or damages to persons or property, unless such action shall be commenced within one year from the occurrence of such injury or damage, nor unless notice shall have been given in writing as required by applicable law.

No action shall be maintained against the City on account of injuries or damages to persons or property resulting from or caused by any accumulation or deposit of ice or snow on any public streets, sidewalk, building, or place, except those actions expressly allowed by Minnesota statutes.

**Section 11.05. Recovery of Judgment of Damages.** If any judgment shall be recovered in any action against the City for any injury or damage caused by any obstruction, excavation,

opening, or defect in any street or alley or public ground caused or occasioned by the act or omission of any person or corporation, the City shall have the right to recover the amount of such judgment from the person or corporation so responsible for such obstruction, excavation, opening, or defect; and such person or corporation is hereby declared to be liable to the City in the amount of such damages, provided, however, the City shall give such person or corporation notice of any claim for such injury or damage and of any action to recover for the same and shall give such person or corporation the right and reasonable opportunity to defend such action.

**Section 11.06. Civil Service Commission.** The civil service commissions for police and firefighters shall be continued in force pursuant to the laws under which they are organized, and the amendments thereto from time to time, until abolished according to law. Subject to the Minnesota statutes governing police and firefighters and the provisions of this charter in regard thereto, the City Council may establish by ordinance, and alter from time to time, a civil service or merit system for all permanent City employees or for such classifications as may be deemed advisable, and, in connection therewith, the City Council may create and appoint a civil service commission to administer and supervise such civil service or merit system.

**Section 11.07. City Officers Not to Accept Favors or Contracts.** No member of the City Council or employee of the City shall solicit or receive any pay, commission, money, thing of value, or derive any profit, directly or indirectly, from or by reason of, any improvement, alteration, or repair required by authority of the City, or any contract to which the City shall be a party, except his/her lawful compensation, including authorized expenditures, or salary as such member of the City Council or as such employee. No member of the City Council or employee of the City, except as otherwise provided in this charter, or by law, shall solicit, accept or receive, directly or indirectly, from any public utility corporation or the owner of any public utility or franchise, any pass, frank, free ticket, free service, or any other favor, upon terms more favorable than those granted the public generally. A violation of any of the provisions of this section shall disqualify the offender from continuing in office or in the employment of the City, and the offender shall be removed therefrom. Any contract with the City in which any member of the City Council or employee of the City is, or becomes, directly or indirectly interested, personally or as a member of a firm, or as an officer or director of a corporation, shall be voidable at the option of the Council; and any money which shall have been paid on such contract by the City may be recovered from any or all of the persons interested therein by joint or several action.

## CHAPTER 12

### Code of Ethics

**Section 12.01. Declaration of Policy.** The proper operation of democratic government requires that public officials be independent, impartial and responsible to the people; that governmental decisions and policy be made in the proper channels of the governmental structure; that public office not be used for personal gain, and that the public has confidence in the integrity of its government. In recognition of these goals, there is hereby established a Code of Ethics for all public officials. The purpose of this Code is to establish ethical standards of conduct for all such officials by setting forth those acts or actions that are incompatible with the best interests of the City and by directing disclosure by such officials of private financial or other interests in matters affecting the City. The provisions and purpose of this Code and such rules and regulations as may be established are hereby declared to be in the best interests of the City of St. Louis Park.

**Section 12.02. Definitions.** When used in this chapter, the following terms shall have ascribed to them the definitions set out herein:

(1) "Associate" means any person related to a public official by blood or marriage.

(2) "Candidate" means any individual who seeks nomination or election as a public official of the City of St. Louis Park. An individual shall be deemed to seek nomination or election if he/she has taken the action necessary under the ordinances of the City of St. Louis Park to qualify for nomination or election to an office, or has received contributions or made expenditures in excess of \$100, or has given consent, implicit or explicit, for any other person to receive contributions or make expenditures in excess of \$100 with a view to bringing about his/her nomination for election or election to an office.

(3) "Contribution" means a transfer of funds or a donation in kind and includes any loan or advance of credit to a candidate, personal campaign committee, political committee or party committee, which loan or advance of credit is (a) forgiven or (b) paid by an entity other than the personal campaign committee, political committee, or party committee to which the loan or advance of credit is made. If an advance of credit or a loan is forgiven or paid as provided in this subdivision, it is a contribution in the year in which the loan or advance of credit is made.

(a) "Transfer of funds" means money or negotiable instruments given by an individual or entity to a candidate, personal campaign committee, party committee, or political committee for the purpose of influencing the nomination or election of a candidate.

b) "Donation in kind" means anything of value other than money or negotiable instruments given by an individual or association to a candidate, personal campaign committee, political committee, or party committee for the purpose of influencing the nomination or election of a candidate. Donation in kind includes an approved expenditure.

(c) "Approved expenditure" means an expenditure made on behalf of a candidate by an entity other than the personal campaign committee of that candidate, which expenditure is made with the authorization or express or implied consent of, or in cooperation or in concert with, or at the request or suggestion of that candidate, the candidate's personal campaign committee, or the candidate's agent. An approved expenditure is a contribution to that candidate.

(4) "Expenditure" means a purchase or payment of money or anything of value, or an advance of credit, made or incurred for the purpose of supporting or opposing the nomination or election of a candidate.

An expenditure is considered to be made in the year in which the goods or services for which it was made are used or consumed.

Expenditure includes the dollar value of a donation in kind.

Expenditure does not include:

(a) Transfers of funds as defined in Section 12.02(3)(a);

(b) Services provided without compensation by an individual volunteering time on behalf of a candidate; or

(c) The publishing or broadcasting of news items or editorial comments by the news media.

(5) "Election" means a primary, special primary, regular, or special City election.

(6) "Interest" means any concern which yields a pecuniary or material benefit.

(7) "Personal campaign committee" means any committee appointed by a candidate for any election.

(8) "Party committee" means any committee appointed or elected to represent any political party with a party organization in the State of Minnesota.

(9) "Political committee" means a group of two or more persons who were elected or appointed by any political party or association for the purpose, wholly or partly, of raising, collecting, or disbursing money or directing the raising, collecting, or disbursing thereof, for nomination or election purposes, or who cooperates in the raising, collecting, or disbursing of money used, or to be used for or against the election to public office of any person or any class or number of persons, or for or against the adoption of any ordinance or charter amendment.

(10) "Public official" means any person holding the office of mayor or Councilmember by election or by appointment.

**Section 12.03. Organization of Personal Campaign Committees.** Every candidate shall designate a single personal campaign committee which shall have a secretary. The candidate shall file a signed statement with the City Clerk stating that a personal campaign committee has been formed and giving the name and address of every member and of the secretary thereof. Such filing shall be made before any expenditures are made by the personal campaign committee. Only the candidate and the personal campaign committee shall receive contributions and make expenditures on behalf of the candidate; provided, however, that party committees and political committees shall not be prohibited from receiving contributions and making expenditures related to nominations or elections.

**Section 12.04. Contributions.**

(1) No candidate or personal campaign committee shall accept an aggregate contribution from any single person or entity in excess of \$250.

(2) Every person who receives a contribution or loan for a personal campaign committee shall, on demand of the secretary, and in any event, within 14 days after receipt of the contribution or loan, furnish the secretary with the name and, if known, address of the contributor or lender, the amount contributed or loaned, and the date of receipt.

(3) No anonymous contributions in excess of \$20 or any anonymous contributions aggregating in excess of \$100 shall be retained by any personal campaign committee, but shall be forwarded to the City Clerk and deposited to the general fund of the City. This subdivision shall not apply to anonymous contributions aggregating in excess of \$100 arising from fund raising sales, where in consideration of a contribution or contributions, a person receives any tangible goods whose value has a reasonable relationship to the contribution.

(4) The reports required by Section 12.06(1) and (2) shall disclose the following:

(a) Every sum of money and all property and every other thing of value, received by such candidate or committee during such period from any source whatsoever which the candidate or committee uses or has used, or is at liberty to use for political purposes, together with the name of every person or source from which each was received and the date when each was received, together with the total amount received from all sources in any amount or manner;

(b) Every promise or pledge of money, property, or other thing of value, received by such candidate or committee during such period, the proceeds of which the candidate or committee uses or has used, or is at liberty to use for political purposes, together with the names of the persons by whom each was promised or pledged, the special purposes for which each was promised or pledged, and the date when each was promised or pledged, together with the total amount promised or pledged from all sources in any amounts or manner;

(c) Every disbursement by such candidate or committee for political purposes during such period, together with the name of every person to whom the disbursement is made, the specific purpose for which each was made, and the date when each was made, together with the total amount promised or pledged from all sources in any amounts or manner;

(d) Every obligation, expressed or implied, to make any disbursement incurred by such candidate or committee for political purposes during such period, together with the names of the person or persons to or with whom each such obligation has been incurred, the specific purposes for which each was made, and the date when each was incurred, together with the total amount of such obligations made in any amounts or manner.

#### Section 12.07. Records

(1) The candidate or the secretary of each personal campaign committee or political committee shall preserve all records and accounts required for the reports required in Section 12.06 for one year after the date of the election.

(2) The City Clerk shall keep all reports filed as required by Section 12.06 for one year after the date of the election. Reports shall be available to the public at a reasonable time and place.

Section 12.08. Notice of Failure to File. The City Clerk shall receive all reports filed as required by Section 12.06 and notify the person required to file a report that such person has failed to file a document by this chapter.

**Section 12.14. Exclusions.** Section 12.12 shall not be construed to require:

- (1) Filing of any information relative to connections or interests with any non-profit organization.
- (2) Disclosure of privileged relationships, as recognized by law (e.g., doctor-patient, attorney-client, pastor-parishioner, etc.).

**Section 12.15. Time of Required Filing.** The times at which required personal financial disclosure filings must be made are as follows:

- (1) Public officials - not later than 60 days after the effective date of this amendment and every April 15 thereafter.
- (2) Candidates - within 14 days after filing an affidavit of candidacy or petition to appear on the ballot for an elective office.

**Section 12.16. Records.** The City Clerk shall keep all reports filed as required by Sections 12.12 through 12.15 for four (4) years.

**Section 12.17. Penalty.** Any candidates or public officials who fail to file all the necessary documents with the City Clerk within thirty (30) days after notice from the City Clerk that they are delinquent in their filings, shall be liable to a fine of not more than \$500.

**Section 12.18. Personal Financial Conflicts of Public Officials.**

(1) Contracts Void. Any public official who is authorized to take part in any manner in making any sale, lease, or contract in his/her official capacity shall have no personal financial interest in that sale, lease, or contract or personally benefit financially therefrom unless the effect on the public official's personal financial interest is no greater than on any other person and/or property similarly situated. Any sale, lease, or contract entered into by the City with regard to which a public official has acted in violation of this section is void; provided, however, that any sale, lease, or contract permitted under Minnesota Statutes Section 471.88 is voidable. Any money which was paid by the Council in violation of this paragraph may be recovered from any and all persons interested therein.



(2) Non-contractual transactions voidable. Any public official who in the discharge of his/her duties would be authorized to take an action, vote, or make a decision concerning a non-contractual transaction of the City which would affect the public official's interests, unless the effect on his/her interests is no greater than on other person and/or property similarly situated, shall disqualify himself/herself from such action, vote or decision. Any transaction entered into by the City with regard to which a public official has acted in violation of this paragraph is voidable at the option of the Council. Any money which was paid by the Council in violation of this paragraph may be recovered from any and all persons interested therein.

**Section 12.19. Financial Conflicts of Associates of Public Officials; Contracts and Transactions Voidable.** Any public official who in the discharge of his/her duties would be authorized to take an action, vote, or make a decision concerning a contractual or non-contractual transaction which would affect the interests of his/her associates, unless the effect on the interests of his/her associates is no greater than on other persons and/or property similarly situated, shall disqualify himself/herself from such action, vote or decision.

Any contract or transaction entered into by the City with regard to which a public official has acted in violation of this Section is voidable at the option of the Council. Any money which was paid by the Council in violation of this section may be recovered from any and all persons interested therein.

**Section 12.20. Gifts and Favors.** No public official shall accept any valuable gift, whether in the form of money, service, loan, thing, or promise, from any person, firm, or corporation which to his/her knowledge is concerned, directly or indirectly, in any manner whatsoever in business dealings with the City; nor shall any public official (1) accept any gift, favor, or thing of value that may tend to influence his/her in the discharge of his/her duties; or (2) grant in the discharge of his/her duties any improper favor, service, or thing of value or accept an offer which would not have been given if he/she were not an official; or (3) accept or receive anything of value through sale or gift of goods or services which would result directly or indirectly from his/her position as a public official of the City of St. Louis Park.

Sec. 3. Effective Date. This ordinance shall be in force and take effect in the City Charter 90 days after its publication (publication 5/11/87; effective date 8/10/87).

Adopted by the City Council May 4, 1987.

187  
/s/ Lyle W. Hanks  
Mayor

Attest:

/s/ Beverly A. Flanagan  
City Clerk

Reviewed for administration:

/s/ James L. Brimeyer  
City Manager

Approved as to form and execution:

/s/ Lee E. Sheehy  
City Attorney

STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED  
JUL 15 1987  
*Joan Anderson Howe*  
Secretary of State  
137518  
O.D.