


STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS
CITY OF MINNEAPOLIS)

I, Steven J. Ristuben, Assistant City Clerk of the City of Minneapolis, in the County of Hennepin, and State of Minnesota, do hereby certify that I have examined the attached copy of Ordinance 86-Or-255

adopted by the City Council of said City on the 7th day of November, 19 86, at an adjourned session of the regular City Council meeting of October 31, 19 86, and have carefully compared the same with the original thereof now on file in this office, and that said attached copy is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said City this 3rd day of February, 19 89.


Assistant City Clerk

138851

CHAPTER 4

CITY CHARTER (Amendment No. 107)

Revising obsolete provisions and language

**AN ORDINANCE 86-Or-255
By Council Member Cramer**

Amending Chapter 4 of the City Charter of the City of Minneapolis by revising obsolete provisions and language.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Chapter 4, Section 5, Paragraphs First, Third, Fourth, Tenth, Nineteenth, Twenty-eighth, Twenty-ninth, Thirtieth, Thirty-eighth and Forty-second be amended to read as follows:

First. — To license and regulate exhibitions and shows of all kinds, including exhibitions of caravans, menageries, circuses, concerts, roller skating rinks, places of amusements and museums for which money is charged for entrance into the same, newspaper carriers and bootblacks, and theatrical performances, also to license and regulate all auctioneers, pawnbrokers, dealers in secondhand goods, junk dealers, keepers of employment offices AND AGENCIES as well as all persons doing the business of seeking employment for others or procuring or furnishing employees for others, POOL AND billiard tables, bowling ALLEYS, shooting galleries, taverns, RESTAURANTS, CAFES AND CAFETERIAS, and all persons vending, dealing in or disposing of spirituous, vinous, fermented or malt liquors. Provided that no license shall be issued for any longer time than one year, and the City Council shall by ordinance determine the date of expiration of all licenses.

And provided further, that the power to regulate above given, shall be construed to include among other powers, the power to define who shall be considered as auctioneers, pawnbrokers, dealers in secondhand goods and junk dealers, and to compel each and every such person whether licensed or not to keep in such manner as it may direct open at all times for inspection, a record of all such property as it may designate, with the time when received, and the name, residence and description of the person from whom the same was received, and to make daily reports thereof to the police department of said

city, as it shall direct. And also, among other powers, the power to require all persons doing the business of seeking employment for others, or procuring or furnishing employees for others, to keep open at all times for inspection, such records of their business as it [the council] may designate, and to furnish to every person with whom they may deal such written evidences of the transaction as it may designate, and to prescribe and punish all kinds of unfair dealings by such persons in the course of their said business, and to establish such rules of legal evidence as it may see fit for the proof of such unfair dealings.

Provided further that (except as to regularly licensed druggists, to sell for medicinal, chemical or mechanical purposes, not to be used or drunk upon the premises), no license shall be granted to any person or persons to vend, deal in, or dispose of any intoxicating spirituous, vinous, fermented or malt liquors except at a location within an area or district zoned by ordinance to permit the sale of liquor therein, and further subject to the following:

(a) If such liquor is not to be used or consumed on the premises, then only if said area or district, together with such other areas or districts contiguous thereto wherein such sale would be permitted by ordinance and by law, contains five (5) or more acres.

(b) If such liquor is to be consumed on the premises, then only if said area or district, together with such other areas or districts contiguous thereto wherein such consumption would be permitted by ordinance and by law, contains seven (7) or more acres, and then only if a substantial portion of the income to be derived from business conducted at such location is derived from the sale of food to be consumed on the premises and adequate facilities are provided therefor. The City Council shall, by ordinance, establish suitable and appropriate standards to determine whether a substantial amount of income is derived from the sale of food and to define adequate facilities for the consumption thereof on the premises.

(c) A license as described in (a) or in (b) above may be issued notwithstanding the requirement of area or sale of food for a location within the territory where issuance of such a license was permitted by law or by the provisions of this Charter on November 1, 1974, or for a location which at the time of issuance is being used for, or the latest use of which was for the sale of liquor under a similar type license.

Nothing herein shall authorize the City Council to issue liquor licenses in residence or office residence districts.

Nothing herein shall limit the authority of the City Council to impose by ordinance further restrictions or limitations on the granting of any liquor license.

No license as provided herein shall be issued except in such areas of the City as are zoned for commercial or industrial uses.

Except as herein provided, all such on-sale and off-sale liquor establishments shall continue to be subject to the pertinent statutes of the State of Minnesota and the City ordinances of the City of Minneapolis.

Third. — To prevent any riots, noise, disturbance and disorderly assemblages in said City, and to provide for the arrest and punishment of any person or persons who shall be guilty of the same; to suppress disorderly houses and houses of PROSTITUTION and to provide for the arrest and punishment of the keepers thereof, and to authorize the destruction of all instruments used for the purpose of GAMBLING.

Fourth. — To compel the owner or occupant of any tannery, stable, barn, TOILET OR RESTROOM, sewer or other unwholesome house or place, to cleanse, remove or abate the same from time to time, as often as may be necessary for the health, comfort and convenience of the inhabitants of said City.

Tenth. — To make and establish public pounds, pumps, wells, cisterns, hydrants and reservoirs, and to erect lamps and to provide for lighting of the City, and contract for the erection of gasworks for light in the streets and public grounds and public buildings.

Nineteenth. — To compel the owner or occupant of

buildings or grounds to remove snow, ice, dirt or rubbish from the sidewalk, street or alley opposite thereto, and compel such occupant or owner to remove from the lot owned or occupied by such person, all such substances as the CITY COUNCIL OR ITS DESIGNEE shall direct; and in the person's default to authorize the removal or destruction thereof by some officer of the City, at the expense of such owner or occupant. Also to compel the owners of low grounds where water is liable to collect and become stagnant to fill or drain such low places, and in their default to authorize such filling or draining at the expense of such owner or owners.

Provided, That said Council may require snow and ice to be removed, as aforesaid, throughout such districts in said City as it shall direct, and may make the expense of any removal or destruction of any such substances which IT OR ITS DESIGNEE may direct to be removed, and the expense of filling or draining any such low place, a lien upon the property from which said substances are removed or on which destroyed, or on which said low grounds are filled or drained, and may make a special assessment for the same to be collected as other special assessments are collected.

Twenty-eighth. — To restrain and punish BEGGING AND PROSTITUTION.

Twenty-ninth. — To license and regulate all persons engaged in the business of carrying passengers, baggage or freight for a fee and to regulate their charges therefor; to prescribe standing places or stations within the streets, where THE vehicles used for such carriage may stand or remain while waiting for business or orders, and to designate such standing or waiting places in the licenses to such persons and to prohibit them from standing or waiting at any other place within such streets and to regulate and prescribe standing places for all vehicles going to or waiting at any railroad depot or station in said City, and to authorize the Mayor or Chief of Police of said City to regulate and direct the location of vehicles at such railroad depots or stations.

Thirtieth. — To regulate the construction of all buildings within said City, and by such regulations to prescribe the depths of cellars, the material and method of construction of foundations and foundation walls, the manner of construction and location of drains and sewer pipes, the thickness, material and construction of party

walls, partitions and outside walls, the size and material of floor beams, girders, piers, columns, roofs, chimneys, flues and heating apparatus, to apportion and adjust such regulations to the height and size of the buildings to be erected; to regulate the construction and location of RESTROOM FACILITIES and vaults in such buildings, to prohibit the construction of buildings not conforming to such prescribed standard, either in the whole City or within such building limits as it may prescribe; to establish, alter or enlarge such building limits from time to time; to appoint an Inspector or inspectors of buildings, or to devolve the duties of such inspector on any City officers; to give such Inspector or other officer authority to enter upon, examine and inspect all buildings in process of construction in said City or within such building limits, and to direct the suspension of any such building operation as does not conform to such regulations. Provided, however, That neither said City Council nor any Inspector or officer of said City shall have control or regulation of any building erected by the United States or the State of Minnesota.

Thirty-eighth. — To require and provide for the removal throughout the City, or in such districts or on such streets and avenues and in such manner as the council may direct of any or all swill, offal, garbage, ashes, barnyard litter, manure, rubbish, yard cleanings and the contents of any TOILET OR RESTROOM, vault, cesspool or sink, dead animals or any other foul or unhealthy stuff or material, with the authority to assess the expense of such removal upon the property from which such above named matter or things shall be taken; and said council is hereby authorized and empowered to make and enter into a contract or contracts with any person or persons, corporation or corporations, for such removal of said material and substances or any of the same, on such terms and conditions as it may deem best, and for any time not to exceed five (5) years.

Forty-second. — To regulate the construction of buildings, chimneys and stacks within the limits of said City, also the emission of dense smoke; it shall also have authority to prohibit and prevent the erection or maintenance of any insecure or unsafe buildings, stacks, walls or chimneys and the emission of dense smoke in

said City, and to declare them to be nuisances, and to provide for their summary abatement.

It shall also have authority to enact ordinances imposing penalties upon persons or parties who may create, continue or suffer nuisances to exist, such penalties not to exceed, however, in any case, a fine of SEVEN hundred dollars (\$700.00) or ninety (90) days imprisonment.

Section 2. That Chapter 4, Section 6 of the City Charter of the City of Minneapolis be amended to read as follows:

Section 6. City Council May Impose Penalties for Breach of Ordinance. The City Council may PRESCRIBE punishment for the breach of any ordinance of the City to the extent of a fine not exceeding SEVEN hundred dollars, and imprisonment not exceeding ninety days, or both.

Section 3. That Chapter 4, Section 7, of said City Charter be amended to read as follows:

Section 7. City Council May Provide for Confinement in Workhouse. The City Council may also provide by ordinance that anyone convicted of an offense before the Municipal Court of Hennepin County subjecting such offender to imprisonment under the ordinances of said City, may be kept at hard labor either in any workhouse established for that purpose, or upon the public improvements of said City, or both; and may also provide by ordinance that anyone convicted of any offense before said Municipal Court, and committed upon nonpayment of fine imposed, may be kept at hard labor either in any workhouse of said City aforesaid, or upon the public improvements, or both, until such person shall work out the amount of such fine, at such rate of compensation as said Council may prescribe, for a time not exceeding said commitment; and the City Council shall have full power to establish by ordinance all needful regulations for the security of such persons thus employed, and to prevent escape and secure proper discipline, and shall have power to establish a proper workhouse in said City or outside thereof for the purpose aforesaid, and under such regulations as said City Council may prescribe. Provided, That the City Council aforesaid is hereby authorized to use the Hennepin County ADULT CORRECTIONS FACILITY AND/OR THE HENNEPIN COUNTY ADULT DETENTION CENTER as the workhouse of the City of Minneapolis provided for in this Charter,

the prisoners of the City to be as at present in the custody of the Sheriff of Hennepin County, except while working on the improvements of said City, when they shall be under the control of the police force of said City.

Section 4. That Chapter 4, Section 13 of the City Charter be amended to read as follows:

Section 13. City Council to Audit Accounts of Officers — Examination of Books. The City Council shall examine, audit and adjust the accounts of the Clerk, FINANCE OFFICER, and all other officers and agents of the city at such times as they deem proper, and also at the end of each year, and before the term for which the officers of said city were elected or appointed shall have expired; and the City Council shall require all officers and agents to exhibit their books, accounts and vouchers for such examination and settlement, and if any such officer or agent shall refuse to comply with the orders of said Council in the discharge of such person's said duties in pursuance of this Section, or shall neglect or refuse to render the accounts or present the books or vouchers to said Council or a committee thereof, it shall be the duty of the City Council to declare the office of such person vacant, and the City Council shall order suits and proceedings at law against any officer and agent of said city who may be found delinquent or defaulting in the accounts or the discharge of the official duties of said office, and shall make a full record of all such settlements and adjustments.

Section 5. That Chapter 4, Section 14 of the City Charter be amended to read as follows:

Section 14. City Council to Have Control of City Finances and Property. The City Council shall have the management and control of the finances and all property of the city, and may provide for the sale of any such property, in such manner as it shall consider for the interest of the city. Provided, That no real estate belonging to said City shall be sold unless ordered sold by a vote of two-thirds (2/3) of all the members of the City Council.

Section 6. That Chapter 4, Section 16, of the City Charter be amended to read as follows:

Section 16. Licenses May be Revoked. Any license issued by authority of the City Council may be revoked by the City Council at any time UPON PROPER NOTICE AND HEARING FOR GOOD CAUSE; and upon conviction

before ANY COURT OF any person holding SUCH a license for a violation of the provisions of any LAW, ORDINANCE OR REGULATION relating to the exercise of any right granted by such license, the CITY COUNCIL may revoke such license in addition to the penalties provided by law or by ordinance for any such violation.

Section 7. That Chapter 4, Section 19 of the City Charter be amended to read as follows:

Section 19. City Council May Establish Purchasing Department. The City Council is hereby authorized and empowered and shall at all times hereafter have the power and authority to establish and maintain a purchasing department as a branch of the city government, which department shall have full charge of the purchase by the city and the several boards of the city of all supplies and materials required for the use of the city and the several departments and boards of the city, including the Board of Education, Board of Park Commissioners (Park and Recreation Board) and Library Board, of the city, and for making and maintaining public works and improvements of the city, excepting from the provisions of this section the purchase of books, periodicals, pamphlets, works of art and other like supplies for the library board and art museum of the city, and the purchase of supplies for the use of the Board of Park Commissioners (Park and Recreation Board) of the city at its several refectories and places of amusement, and by ordinance or otherwise to make all rules and regulations necessary for the conduct and management of such purchasing department. The City Coordinator shall appoint a purchasing agent who shall be the head of such purchasing department and who shall appoint all necessary assistant purchasing agents and other employees required for the proper management of such purchasing department, and shall prescribe the duties of such purchasing agent, assistant purchasing agents and other employees.

Passed November 7, 1986. Alice W. Rainville, President of Council.
Approved November 13, 1986. Donald M. Fraser, Mayor.
Attest: Lyall A. Schwarzkopf, City Clerk.

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

FEB 7 1988

Joan Anderson Shaver

Secretary of State

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