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re Ten			TE FALLS (MINNESOTA) T	RIBUNE		Thursday, October 15
Continued from page nine)	condemnation, any property, cor- porcal or incorporcal, either within or without its corporate boundar-		14800 any canital stock on account	Regulations,-After this charter takes effect all local improvements	and for sumplishing beet was assessed	The last with an out of the second
their intention to bring about ecall. A copy of this certificate	ies, which may be needed by said icity for any public use or purpose.	Section 69.—Franchises Defined, —The word "franchise" as used in this Chapter, shall be construed to	no right to receive, upon condem-	shall continue for the time being to be made under the laws previously applicable thereto as far as pos-	able hydrant rental and other	mayor, one for the city clo
be attached to each signature r and no signature paper shall	In addition to the power to acquire property for other public purposes,	mean any special privilege granted to any person, co-partnership or	city, to acquire the public utility	sible, The council shall prepare and adopt a comprehensive ordinance.	water, and shall credit the same to the nublic owned utility supplying	one to be posted on an offic
certification.	the city may also acquire as herein provided, any gas, water, heat, now- er, light, telephone or other plant	corporation, in, over, upon or un- der any of the highways or public		prescribing the procedure which shall be followed thereafter in mak- ing all local improvements, and	the service. Such rentals and charges for other services hereun- der shall be collected in the same	ing. The estimates shall be ted to the council at its fu ular meeting in August. Th
petition for the recall of any al shall consist of a certificate	to acquire any such public utility	privilege has heretofore been grant-	(e) That no sale or lease of said franchise shall be effective until the	such ordinance when adopted shall supplant all other provisions of the	manner as from other consumers, unless the council provides some	cil may require with the es such explanatory statement
ical with that filed with the clerk together with all the sig-	shall be consummated unless the city has the money in its treasury to pay for the same or has by yote of the	Minnesota. Section 70Franchise Ordinanc-	in the office of the city clerk an in-	law on the same subject and may be amended only by a vote of a ma- jority of all the members of the council. Such ordinance shall pro-	other plan. Section 85.—Lense of Plant.— The council may, if the public in-	may deem necessary, Section 92,-Enforcement
hed. All the signatures need to on one signature paper, but	for the property proposed to be ac-	es, The council may grant fran- chises and renewals, extensions and amendments thereto, which shall be	cepting the terms of the franchise,	vide for such notice and hearing in	tract with any responsible person,	Budget.—The budget shall principal item of business regular monthly meting of
make an affidavit that each	sewers, building lines, poles, wires,	granted or made only by an ordin-	and agreeing to perform all the	the ordering of improvements and	co-partnership or corporation for	council in August, and the
enuine signature of the person	pipes and conduits for water, gas, heat and power may be acquired by gift, devise, purchase or condem-	be granted as an emergency ordin-	shan also nie a bond in such a-	for as shall be necessary to meet, constitutional requirements, Such ordinance shall also require a peti-	conditions as it may deem neces-	time to time until all the es have been considered. The m shall be so conducted as to p
ture paper shall be in sub-	nation in the manner provided by law,	ance, and no proposed franchise or- dinance shall be adopted until it has been placed on file in the office	the council may require, which bond shall run to the city as obligee, with	tion of a majority in number and interest of the owners of property	bodied in and let only by an ordin- ance approved by a three-fifths vote	terested citizens a reason
RECALL PETITION posing the recall of	Section 60Proceedings in Tak- ing PropertyThe necessity for	of the city clerk and a public hear-	and shall obligate the asignee or	to be assessed for such improve- ment or improvements, or for the initiation of such improvements;	shall be submitted to the legal vot-	and an opportunity to as questions as may be perti-
from his office as, which recall is	the taking of any property of the city shall be determined by the council and shall be declared by a	posal after published notice there- of; and provided, also, that the granting of any such proposed or-		provided, the council may proceed upon its own initiative hereunder	lection and approved by a two-	them, The budget estimate be read in full, and the cit shall explain the various
ight for the reason set forth the attached certificate. This vement is sponsored by the	resolution which shall describe such property as nearly as may be and	dinance shall be subject to the ref-	franchise contained, of permission	and under such ordinance by reso- lution adopted by unanimous vote	thereon at such election. The con- tractor shall be subject as far as	thereof as fully as may be necessary by the council. 7
lowing committee of elec- s:	state the use to which it is to be devoted. The accuisition of such	as set forth in Chapter 6. No pub-	for the erection of poles, masts, or other fixtures in the streets and for the attachment of wires thereto, or	of the council after proper notice and hearing. Under this charter no costs of the	possible to the rules as to rates and service, and as to council con-	nual budget finally agree
Name Address	property may be accomplished by proceedings at law, as in taking land for public use by right of em-	ferred except with the approval of a three-fifths yote of the council expressed by resolution or ordin-	for the laving of tracks in, or pines	improvement of street intersections of improvements lying therein or	trol, laid down for the holders of franchise in Chapter 9, of this charter.	for the ensuing fiscal year. indicate the sums to be rais
The undersigned electors, un-	inent domain according to the laws of the state, except as otherwise	ance; and copies of all transfers and mortgages or other documents	public places, or for the placing in the streets or other public places	thereupon nor for more than one- half of the cost of improvements	Section 86.—Sale or Abandon- ment of Publicly Owned Utilities.	from what sources, and the s be spent and for what pu
standing the nature of the urges against the officer		affecting title or use of public utili- tics shall be filed with the city clerk	ent lixtures whatsoever, shall be	located opposite to any property owned by the city shall be assessed upon benefitted property, but the	city, whether acquired prior to the	according to the plan indic Section 91. The total sum
ein sought to be recalled, ire the holding of a recall	shall be confirmed in any proceed-	Original Duquelaters sint manufate a	council shall have the power to re-	city shall pay such costs out of tax-	after, shall be sold or abandoned	printed shall be less than the estimated revenue by a saf- gin. The council shall add
ction for that purpose. Name Address	der this chapter, or whenever the court shall render final judgment	operating thereunder, in the discre-	the council may at any time deem	provement fund, Section 80,—Public Works, How Performed.—Public works, includ-	tion of such system be sold or a-	budget resolution not later the late
,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	in any appeal from any such award, and the time for abandoning such	tion of the council, and may pro- vide for its collection and method	convenience of the public, and par- ticularly that it shall have the pow-	ing all local improvements, may be constructed, extended, repaired and	thereof discontinued by the city un-	Section 93,-Enforcement GetIt shall be the duty
the end of the list of signa- shall be appended the affida-	proceedings by the city shall have expired, the city shall be bound to, and shall, within sixty days of such	Section 71,—Term of Franchise, —No perpetual franchise shall ever	er to require the removal of poles, masts, and other fixtures bearing	maintained either by contract, or, if the estimated cost is less than	tion of said sale or other disposi- tion thereof, together with the con-	council to enforce strictly the visions of the budget. It sh approve any order upon the
the circulator mentioned a-	final determination, pay the amount of the award with interest thereon	be granted, nor shall any franchise be granted for a longer period than	wires and the placing underground of all wires for whatsoever purpose used.	one thousand dollars (\$1,000,00), directly by day labor. Before re- celving bids the city clerk, under	embodied in an ordinance passed by	treasurer for any expendituless an appropriation has
n thirty days after the filing original certificate, the com-	num from the date of the confirma-	twenty years. An exclusive fran- chise shall be granted only upon the unanimous vote of the council.	(g) Every franchise and every extension or renewal of such fran-	the direction of the council, shall have suitable plans and specifica-	the usual way, and submitted to the electors at a referendum election.	made in the budget, nor f expenditure covered by the unless there is a sufficient
n the office of the city clerk.	the court, as the case may be, and i	Section 72.—Power of Regulation Reserved.—All franchises shall be	its acceptance in writing by the	tions prepared for the proposed	and approved by a two-thirds ma-	pended balance remaining the same after deducting the
within the next five days, and	may be had against the city, Section 62City May Abandon	granted subject to the police power of the city, and the city shall have	its submission to a vote of the neo-	ing to more than twenty-five thou-	CHAPTER 12.	past expenditures and the all outstanding orders and
is that the number of signers	manufaction of the council at any	control the exercise by nny corpor-	such franchise shall be binding up-	sand dollars (\$25,000.00) shall re-	Section 87,-Council to Control	brances. No officer or empl- the city shall place any or make any purchases except
	ceedings, or at any time within thirty days after any commission-	any franchise, however acquired, and whether such franchise has	on the city until its acceptance by the grantee. Such acceptance shall be construed to be an acceptance	the city will be served thereby, the	full authority over the financial af-	purposes and to the amoun thorized in the budget. Any
so notify one or more mem-	ers appointed by the court hereun- der shall have filed their report	the State of Minnesota, or shall	of, and consent to, all the terms,		for the conection of all revenues	tion incurred by any person employ of the city for any p
all then be given ten days in	of an anneal to the district or su-	hereafter be granted by the city or by the State of Minnesota. Section 73.—Regulations of Rates	in the ordinance granting the tran- chise as well as of the provisions	suitable equipment. The right is re-	settlement of accounts, and the safekeeping and disbursement of	not authorized in the budget any amount in excess of mount therein authorized s
	tion thereof abandon such proceed-	and Charges.—All corporations, co- partnerships and persons exercising	of this charter. (h) Every franchise shall be granted subject to the right of the	recommendation of the city engin- eer, acting through the construc- tion department to hid on any work	public moneys, and in the exercise	a personal obligation up person incurring the expend
d upon which the recall is	ings as to all or any parcel of the property sought to be acquired and	franchises in the city shall give courteous, efficient and adequate service at reasonable rates to be	city to acquire all rights and pro-	to be let by contract. All contracts	all liabilities and expenses. Section 88.—Fiscal Year.—The	Section 94.—Alterations Budget.—After the budge
cient or irregular, he shall	Section 63-City May Take En-	fixed by the council. A reasonable rate shall be construed to be one	and of every five years, if a major-	sible bidder, but the term , lowest responsible bidder" shall be inter-	fiscal year shall end on the thirtleth lay of November.	have been duly adopted, the shall not have power to in the amounts therein fixed, w
to that effect, and shall file	condemn a public utility which is operated at the time of the com-	which will, with efficient manage- ment, normally yield, above all op-		right to accept any bid which it de- .	-Subject to the state constitution	by the insertion of new its otherwise, beyond the est
shall be taken thereon.	mencement of condemnation pro-	erating expenses and depreciation, a fair return upon all money hon- ostly and efficiently invested in the		to the city. The council shall re- serve the right to reject any or all bids .Detailed proceedings govern-		revenues, unless the actual I shall exceed such estimates, that event not beyond such
sufficient, the city clerk shall	such condemnation proceedings of	plant and equipment properly used		bids .Detailed proceedings govern- ing advertising for bids and execut ing contracts shall be specified by		receipts. The sums fixed in the get shall be and become appr
and shall also officially notify	of the property, lands, articles,	greed upon as a rate base, as a con-	under the franchise by a resolution	contractors to give proper bonds	procures a revenue from taxes on real and personal property as such,	ed at the beginning of the year for the several pu named therein and no othe
pending action. The council	into and go to make up such sys-	granted. This shall not be construed as a guarantee of a return, and in	Section 75 Limitations The	ployees, and material men.	to the general state law as to the	council may at any time, by lution passed by a three-fifth
rovide for the holding of a	wise ordered by the court, be treat-	no case shall there be any return	enumeration in this charter of par- ticular matters which must be in- cluded in every franchise shall not	PUBLIC OWNERSHIP AND OP-	Contraction of Such taxes,	reduce salaries or the sum priated for any other purp
nor more than forty-five	property, and an award for the whole property in one lump sum may be	the maximum price or rate to be	be construed to limit the right of the city to insert in such franchise	Section 81 Acquisition and Op-	tion.—The Council shall constitute a board of equalization and shall	authorize the transfer or l sums from unexpended balan other funds for other purpo
within sixty days after such	demnation or other body assessing	vice rendered to the city or to any person or persons within the city	such other and further conditions and restrictions as the council may deem proper to protect the city's	have nower to acoulte nublic utili-	holding council meetings on the	such loans, however, to be c to the fund from which it is
n provide for the holding of	plant property is separable into dis-	nonotinitions between the demonstra	interests; nor shall anything con-! tained in this charter limit the right	under Chapter 7 of this Charter, or may purchase or establish the same,	the assessments according to law. Section 91.—Preparation of the	and debited against the 1 which the loan is made. Section 95.—Levy and Co
an In the nublicked call for	part or parts thereof as may be	In case of fuilure to reach an a- preement by this method, the coun-	existing franchises.	either within or without the city limits, and to supply the city and	Annual Budget.—The council shall direct the preparation of the esti-	of TaxesOn or before t day of October each year th
boards or printed in the offi- aper, there shall be given the	CHAPTER 8.	cil shall not less than thirty days before the expiration of any exist- ing rate schedule or agreement, ap	CHAPTER 10,	to sell to its inhabitants and to per-	estimates of expenditures shall be	cit shall levy by resolution t es necessary to meet the t
and also, in not more than	Section 64Fire Department	point the city clerk or some expert is its representative; the company	Section 76,-The City Plan,-The	able trade area, all products of any public utility operated by the city.	division of the city under the fol- lowing heads:	ments of the budget for th ing fiscal year. The aggre such taxes in any one year
	There shall be a fire department, either volunteer or puid, but the council may establish an all paid		city council may, with the assist- ance of a city engineer and an ad- visory city planning commission	Section 82.—Rales and Finances. —The city council shall have the power to fix all rates and charges	(1) Ordinary expenses, (for operation, maintenance, and repairs).	not exceed three per cent assessed valuation. The clea
be nominated in the usual	department by ordinance adopted by a three-fifths vote. The council	rate making, who shall together	which may be authorized and ap- nointed by the city council and such	other utilities provided by plants		transmit to the county audi nually, not later than the H of October, a statement of t
as far as possible in accord-	may employ one equipment care-	constitute a board of arbitration. This board shall report its findings	other service as it may deem neces- sary, prepare and adopt by ordin- ance a complete plan for the physi-	and charges shall be just and rea-	ing character).	es levied, and such taxes s collected and the payment
pal elections. ion 58.—Form of Ballet.—	on a monthly salary, and pay vol- unjeer members a moderate com- pensation for active service in fight-	which it shall agree upon by a ma-	cal development of the city. Such	cient to pay all operating costs of the respective utility and all bonds	livided into:	enforced with and in like i as state and county taxes, shall be invalid by reason
s the officer whose removal is t shall have resigned within	ing fires.	subject to revision by any court of commetent invisitetion. Schedule of	time. It shall contain provisions for zoning to regulate the location.	and interest constituting a charge	salaried officers and posi-	informality in the manner of ing the same, nor because
ivs after the receipt by the il of the completed recall pe- the form of ballot at such	department shall elect a chief, an issistant chief, and such other of-	rates thus fixed shall be as flexible	size, use and neight of buildings on	forenald shall remain of a point	ance and the number of per-	mount levied shall exceed mount required to be raised special purpose for which th
n shall be as near as may be ows: "Shall (name of of-	licers as may be needed, and may adopt regulations for its govern- ment, subject to the approval of the council.	than five years nor beyond the ter- mination of the franchise. The city	tricts thereof; and may include pro-	reproduce the plant. There shall be	(c) Wages, (c) Printing, advertising, tele-	is levied, but in that case t plus shall go into the fund t
dincer being inserten in the	Section 66-Destruction of Build-	agreement, revise existing sched-	visions for platting and develop- ment of new areas, for the planning	paid into such reserve fund each year out of the earnings of such	phone, telegraph, express charges and other like items.	such tax belongs. Section 96.—Tax Settleme County Treasurer.—It shall
ermited to vote separately	ings, - whenever any building in	ules of rates at any time, proceed- ing in such case as provided for the original fixing of the rates.	and location of public works of art, public - buildings, parks, play- grounds, bridges, transportation lines and other public facilities, and for the laying out, grading and im-	of depreciation charged against such utility. Receipts of the utilities	(d) Supplies and repairs, with sufficient detail to be readily understood.	duty of the city treasurer that moneys belonging to
allot shall also contain the of the candidates to be voted	the mayor or the chief of the fire	original fixing of the rates. Section 74.—Conditions of Fran- chise.—Every franchise which does	lines and other public facilities, and for the laying out, grading and im-	shall be paid into the fity treasury and placed in a separate fund. The	All increases and decreases shall	of Granite Falls coming i county treasury are prompt
is successful, under the cap-	lasting will down and remain such	nor contain the highistons breactin.	proving of success streams and	of, may be invested in any interest	umne shall be added the amounts!	ed over to the city accor law. Section 97,—Disbursemen
in recitted, but the	the vicinity or one part thereof	ery franchise shall contain the fol-	Section 77.—Enforcement of City	cities under the laws of 1927, Chap-	and as far as possible, for the cur-	MadeAll disbursements a
imself he a candidate upon ballot. In case a majority of	likely to communicate fire, and no	lowing provisions:	PlanThe city council shall have	ter 131, Section 9, or acts amenda- tory thereof. The Council may also prescribe the time and manner in which water hast one electric cur-	mates of expenditures, the esti- mates shall include a statement of	mayor and the city clerk, d thorized by the council, an such order shall specify the
of recalling such official, he	or on account thereof.	part all of the terms of this chap- ter as well as all other pertinent	charged with the duty of reporting	rent and any other utility product	for the past two completed fiscal	for which such disbursen made, and indicate that it i
nd in that event the candidate	of Chief,-The council shall pre-	(h) That the grantee shall in no	to the city council all departures from the city plan which come to	supplied by plants owned or leased by the city shall be computed or	and the uncollected balances, to-	paid out of the proper func- such order shall be directed treasurer , and the latter sha
for his place shall be elected	nartment and make such rules and	any powers to fix fares, rates or	Section 78.—Power to Make Im-	rate, and make such other regula-	on for as possible, for the current	a check payable to the order person in whose favor the
ired term. If the officer sought	and proper for the efficient conduct	just fair and reasonable for the	power to make any and every type	lation of such regulations.		was drawn, The treasurer i
ten days after the receipt council of the completed re-	of the department.	services rendered, and shall in all	of public improvement not forbid-	The commission may, in lieu of pro-	ems:	except upon such order. such order or check shall be until there is money to the
lection shall be the same, as	obey the orders of the Chief of the	(c) That the council shall have	such as are of a local character. The amounts assessed to benefitted	utilities, purchase the same in bulk	(b) fees, (c) fines,	of the fund out of which it i naid, sufficient to pay the sa
t a regular municipal election. CHAPTER 7.	vested with authority at such fire, such person shall be guilty of a	the right to require reasonable ex- tensions of any public service sys-	ments may equal the cost of the	and reself them to local consumers	 (d) interest, (e) Miscellaneous, not included in the foregoing, 	gether with all then outs encumbrances upon such fur
EMINENT DOMAIN	misdemeanor and shall be punished as prescribed by the ordinances of	tem from time to time, and to make such rules and regulations as may	improvement, plus necessary inci- dental expenses with interest until paid, but shall in no case exceed the	Section 84.—City to Pay for Ser-	(f) sales and rentals, (c) operation of public utilities	order for the payment of violating any provisions of t tion shall be void, and any
tion 59.—Power to Acquire	the city, or in case the offense is not punishable under the ordinance of the city, then as a misdemeanor under the laws of the State.	proper service and to provide suili-	value of the benefits received by	clude an item in its budget yearly to pay a reasonable charge, based	(h) special assessments	of the city violating any pu of this section shall be per











Vant Ads	Institute Held	Pheasant Seas	on will Open	Many Recipes for Use of Prunes	Sebey Rites	What's Doi
ed. For Sale, Lost, Found, etc. will appear under this head at the	At Clarkfield		on Next Week	The use of prunes is smarter, probably, than you think. It is true	Held Oct.3	1 · . •
of 1 cent per word per laue-	James McConnell Heads the	Granitals hig hunting season, the	lants and enough fumble weeds to	prunes are a common fruit and as	Death Follows Automobile	Announcements of scelal and ness organizations will appear this column every week.
FOR SALE	Teachers Association for the Coming Year.	will start at noon Saturday of next	give them plenty of opportunity to hide, The fact that a larger area in	face the prune has a heart of gold that is both healthful and captivat-	Accident; Wife and Five Children Survive.	Sunday, October 18 The Luther League of the
SALE-Brood sow to farrow soon, re Reishus, Hazel Run, 18-110	A thorough analysis of the pre-	week, October 24th, and continue	the state is open this year may	ing in a large number of interest- ing ways,	Funeral services were held here	Lutheran church will meet evening. The program is
ALE-Leghorn pullets. See Magnus , Route 1, Granite Falls. 18-11p	sentation of arithmotic to grade	to whether or not there is a suffi-	hunters here for the opening, al- though this section of the state is known as the best pheasant coun-	Put cooked prunes in your cakes, for example. They add a bland, rich flavor to the plainest cake, and	Saturday afternoon, October 3rd, for Edward P. Sebey, who was struck by a car and killed near	lows: two numbers by boys tet of high school; cornet sol Luniquist; talk, A. E. Nels
SALE-Pointoes, carlond, truck or William Roth, Alexandria, Minne- 16-8tc	Dune of the state department of	country to warrant a 21-day hunt-	i try and there will be plenty of men		Foxhome Wednesday, September 30th. Rev. O. J. Eriksen officiated.	ant solo, Vornon Lien and a
ALE-A number of used cream cans, nably priced. Granite Falls Co-op. mery. 18-1te	Clarkfield on Thursday and Friday.	here in sumcient number to give	and women with guns the day the season opens. However, the real in- flux of hunters will start after the		Pallbearers were four nephews, Prescott C. Sehey, Harold and Al-	Monday, October 19 The American Logion At
ALE-Two young cows and some a hay, W. L. Paul, on the Phil- place, 18-1tp	of primary arithmetic for two per-	life bagging them,	first nine days, or when the short- senson counties close to hunting. The season is open only half days	lemon juice, for the tastiest cake	fred Odden and Theodore Gjer- mundson and Elmer Anderson and Bert Hallet. Interment was made in	will meet in the evening. The
ALE-Good White Rustler and Minn. 13 large type corn, \$2 per bu, John c, De Graff, 18-1tp	ian Christiansen, field secretary of	this fall and, while the corn fields are not so high as a year ago, still	this year and the limit is the same as before—three birds per day and	Prune pies are second to none. Make them two-crust, openface meringue and whip, for variety,	Hillcrest cemetery.	Wednesday, October 2 The Community club will r
ALE-Duroe Jersey spring hoars, feeders, best blood lines, Fny Fish- nered Heart. 18-21p	the Minnesota Public Health asso-	there is enough shelter for pheas-	of this number one may be a hen.	but always enjoy the same health-	ville county July 31, 1875 and in	the home of Mrs. A. J. Lu the afternoon. Hostesses a
acred Heart. 18-21D ALE-Two boar pigs, double treat-	tation in the Rural Schools." The	following were elected: James alc-	INFW A DALFF	cooked prunes are excellent in sal-	Rehe where he was in husings un-	Mmes. M. J. Collin, Ed Col Thomas Brown. There wil
ALE-Two boar pigs, double treat- or hog cholera. Ed Krogstad, 34 southwest of Granito Falls, 18-llo	intensive campaign in selling Christmas seals this year.		La Unblink od	ad panic" when unexpected guests	til 1917 when they moved to Brent- ford, S. D., where they operated a hotel for a year. They then moved	business meeting and the election of officers will be he
UNTING" SIGNS printed in heavy type on weather-proof cardboard, 25c at The Tribune office. 17-5te	Thursday afternoon Supt. Hagg of Clarkfield gave an address of welcome to the teachers. Then a	Daris Carlson, treasurer. The editorial staff of "Pedagogic		drop in. An unusual but interesting use for prupes is to cook them until	to a farm near Foxhome, living there until four years ago when	tivities of the past year will viewed by Miss Alma Weff the treasurer's report will b
ALE-Modern louse, well built and ely insulated, complete in every re- , Priced low, Inquire at Tribune of- 17-21c	welcome to the teachers. Then a unit of mathematics, presented by the Misses Knutson, Nelson, Win- kels, Schwartz, Hoseck and Vern- und all of the teacherst two long	Morsels" for the coming year is Marvin Bromberg, editor-in-chief;	This Issue of The Tribune;	tender, but not soft, and then iry	they resided until the time of his	by Mrs. Frank Zurn.
17-21c US READING ANTHRACITE-The	fund, all of the teachers training	Edward Peterson, art editor, and the Misses Luella Lindner, Mabelle Amundson and LaVerna Schnack-	Voted on Nov. 3rd. The complete text of the propos-	due makes prunes simply delight- ful as a garnish for roast meats,	death. Surviving are his widow and five	Hot Lunches to
US READING ANTHRACITE-The dependable, smokeless, sootless, burning fuel for the home, Intenso Keeps fires over alght. Interior per Co. 18-lte	department of the Canby school,	enberg, assistants. Miss Thorpe and Miss Kleppe will act as advisory		themes hours, and h	ville, Bernice of Breckenridge, Mrs.	Be Served The serving of hot lund rural school children will be
ALE-Good organ, also couch with tion lenther cover. Sell chean if tak- once, P. A. Moldrem, 6 miles north- of Granite Falls. 18-Itp	continued her presentation of trends and procedures in arithme-	Musical numbers enjoyed includ-	Tribune, starting on page nine, running over page 10 to page 11.	prune compotes, marvelous with	of Minneapolis and Prescott Se-	ed on Monday, it was and
of Granite Falls. 18-11p ALE-Fine Red Pollet hill off	tic. She concluded the afternoon session with a talk on the consti-	ed group singing, numbers by stu-	This charter is the result of a series of meetings extending from	dipped prunes and spiced or pickled prunes to what the lazy appetite.	preceded him in death. He is also	this week. The price of these remains the same as last namely, 20 for 25 cents.
ALE-Fine Red Polled built calf, 8 ha old, Ready for service. Will make tecliont herd built Reasonably priced, re at Tribune office. 18-11p	tution. "Arithmetic for the Intermediate	an instrumental solo by Mr. Hegre	of the city appointed by the dis-	But, however, you may eat or cook them, use plenty of prunes-there's	seth of Ortonville, and a brother, Louis, of Minneapolis.	The children taking lunch been provided with new l
ALE-5-room house, located 2 blocks of court house, Small down pay- halance just like ront. Inquire of y W. Olson, Granite Falls. 18-11p	and Upper Grades" was the sub- jects of Mrs. Pyne's discourse Fri- day morning. She also spoke on	loris Meyer, first grader from dis-	composed of Leonard Marcuson as	no food more economical or whole-	An addition is being made to Pal- mer Hagen's house by the Hanson	and tables for their conve Last year more than 9,000
W. Olson, Granite Falls, 18-Itp	general science and gave an appre- ciation lesson on the writings of	day morning by Miss Thorpe, coun-	chairman, Jay L. Putnam as secre- tary, C. M. Nelson, J. J. Knudson,	Local Scouters	brothers.	were served.
SALE-Household goods including ture for kitchen, dining room, bed- elee, on Granite Falis bank corner day, October 17 at 2 p. m. Hegna c. 18-1tc	Tennyson, Browning and Kipling. At the annual election of officers.	ty superintendent.	George Dillingham, O. T. Neste, Dr. Lundquist, Hans Cole, B. A. Deter-	Attend Dinner Several local men who are mem-		contain l
	of the Teachers' Educational asso-		P. Flaten, L. O. Johnson, George Fauss and Alfred Peterson, Mild-	bers of the scout committee at- tended the fall rally and dinner for	I RED	
ENT5-room modern house. In- of Palmer Gunderson. 18-1te	Ing. Kvistad		each meeting as legal advisor.	district scouters held in Sacred Heart Friday night.		
ENT-2 upstales rooms at \$8 per 1. Inquire at Tribung office, 18-110	Corn Husi	king Contest	of a new charter for Granite Falls.	Among those from here who at- tended were A. H. Ladner, L. C. Young, C. M. Kull, Clayton John-	Johnny Farmer's	THE NEW
ENT-Housekeeping rooms, parily hed. Call 304-G or Tribune of- 18-ltp	(Continued from page 1) the Baker place which was admir-	shirtless shoulders and arms cover-	acquired chasters of other cities of	son, Ben Johnson, Henry Lien and	CALIFORNIA	CROP IS IN
ENT-Hented sleeping room in mod- source, located enst of school, Gust senson, 18-1tp	ably suited for such an event. Besides the pickers, the crowd	reason or other, Huth was prepar- ed to finish first or give the winner	ndvice of the Lengue of Minnesotu	Dolan Daughter	DRIFD FRUIT	SALE SAN
tENT-Housekceping and sleeping In East Granite Falls. Sce Mrs. Lockreni, 18-110	also started arriving at noon and those people who had forgotten to	a hard rub. Down the row a ways another	With the nid of these guides, the		A GREAT FARMER-CONSUMER	DENEFIT CLASS
Lockrem. 18-11p	eat their dinner before leaving were ably taken care of by the Wood Lake ladies' aid which set up	overall jacket. "That's what I'm	Falls, changing each to accord with	en the small daughter of Mr. and	Court dated fort survey, without you	bigerrent beinger weirenne mentery ungen And we're
ALE-Medium-sized base burner for and wood, Good condition. Will sell nably, Also have indeer chemical for cale, new. F. A. Moldrem, G. northwest of Granito Fulls. 18-th	an eating Tiouse in a vacant ma- chine sheil and served hamburgers,	snap corn better when I'm hot," he	local conditions. Members of the commission urge that the citizens of Granite Falls	Mrs. Elmer Dolan of Marshall when she was baptized at the Unit-	biggest food hargains, highly alka-	ag frait farmers
LOST AND FOUND	doughnuts and coffee. At 14 minutes after 1 o'clock	Down the field went the huskers, the ears of corn beating a tattoo a-	read the charter carefully and then.	ed Lutheran parsonage at 3 o'clock Sunday afternoon by Rev. O. J. Eriksen. Sponsors were Mr. and	line and easy to digest. In other emp work, HEALTH in delicious doses.	Stork op NOW.
Truck fire and rim, also 30x5 for Chevrolet between Monlevidco and nwood, Reward if returned to Tri- office, 18-1in	Sheriff Fitzner fired the prepara- tory gun to announce there was but	gons that followed slowly along-	general election November 3rd. The	Mrs. Victor Hanson.		arada Naul Crop 2
office, 18-1in WANTED	a minute left hefore the contest would start.	worked at top speed. Back of them came the gleaners picking up the	pass, so if you fail to vote on the	Chippewa May Hold A Husking Contest	PRUNES Call	ornia New Crop 4 Lbs. 25 100-100 Size 25 Lb. Box \$1.
ED-Girl to do housework. Call 18-1te	gave last minute instructions to the drivers of their wagons. The glean-	corn that had been missed or knock- ed to the ground.	question it is registered as a vote against it.	Chippewa county intends to hold	DATCINC M	Iston" Seedless 4 Lb. Bas 3
ED-Nurshig in confinement cases, with some housework. Ella Gellar quire of George Forbers, 542 miles and 242 miles west of Clark- 18-ip	ers, sacks in hand, took their plac-	Corn Weighed In	Mass Meeting Monday	a corn husking contest if a field of corn can be found within the coun- ty boundaries with a sufficient size		
and 21/2 miles west of Clark- 18-Itp	"Bang" went the gun and, with one accord, 12 ears of corn struck the bangboards as 12 young men	wagons were taken up to the Bak-	of Granite Falls is called for next	hand wold to wrowide a place for	PEACHES	California Fancy Yellow 2 Lbs. 29
ED-Dead animals removed free of e. State permit to haul cholers hogs, rendered tankage 60% protein.	started down the double rows of	ant and then deducted for the	ed charter will be discussed and	the dates will be announced later.	Surshine Biscuit	s Coffee Sall
	ears of the nusks before tossing	pounds of corn picked up by the		Subscribe to the Tribulle, \$1.50.	Mixed Cookies 2 154	29: TWO POPULAR BLEN GROUND TO ORDE AT TIME OF PURCH
MISCELLANEOUS E-T will pay no bills contracted by the but myrelf, Ellmond Johnson. Itp	Husking Style Varies	the referees included Chas. Hay-	WFIGDD	DD BROS.	Fall Assorted	
E-No hunting on our land with- emission, Roscon Siple. 18-8tp	each contestant had his followers	Long, Dan Brown, Carl Bendix, Art Hinz, L. O. Enstad, Emil Duemke,		ROCERIES	Krispy Crackers 2 14	Databul
HIDES are worth more if you bring to the Granite Wreeking Co. 17-tie	with, perhaps, the largest number following Richard Huth, last year's champion.	mer Glese and Elmer Mohwinkle. The result of the contest is	We Deliver 9:30 A. M. and	d 3 P. M. • Phone 109	Rippled Wheat 2 Pkg	19: DEPENDON
MIER COAL, that gives a strong beat and little ash "Smokeless" from impurities, it satisfies the most ing demand of consumers, because a high standard of quality. Interior per Co.	A short, stocky young man, his	shown in the following table:	Specials for Fri	day & Saturday	TT SHOPPE	A - Mild and A -
ing demand of consumers, because s high standard of guality. Interior ser Co. 18-11c	(Wele	oc o	FLOUR Minnesota	A 10 15. C1 60	DONUTS Powdered or Plain Doz	Lb, Bag 17
CIT ACID, GAS PAINS, INDI- n clethns, why suffer? For quick get a free sample of Udgn, a doo- prescription, at B. A. Deter- 18-1010	Total V of Cont	Hunka Hunka (Orr.) Hunka Hunka Total Deducti Total Deducti tilbu,		d Dutch., 6-oz. pkg. 20c	MILK Van Camp's Esopo Pasteurised Sp	rated * 2 1415-02 15¢
prescription, at B. A. Deter- 18-1010	L. Zlaumerman, Gary	41 7 15/16 24.5 165.5 709.05 8 102 12 111.16 303.15 551.85 12 255 7 15/16 25.66 310.66 574.34 11 87 11.10/16 26.73 213.73 851.27 4 90 10 70 109 834 6		, 3 22-oz. cans 27c	SYRUP Penick's Golden 5 Lb. Pall 30	* 10 Lb. Pall 54¢
DRILLING, also removing last as from wells. Call Albert von do ber Echo, Minn. Phone 22. 16-3tp	Art Preus, Echo	D0 10 70 169 831 6 10314 7 5/16 25,62 129,111 805,88 2 84 25/16 84 636 10 171 12 3/16 132,7 803,7 679.03 9	STRING REAL	S Cut Green No. 2 10¢	PEANUT BUTT	••
DEAL FUEL FOR THE HOME- uses, even in size, and especially ned in shape for the most efficient usion. Suited for all domesile pur- Interior Lumber Co. 18-ite	Arthir Schmidt, Wood Lake 1665 20 Art Preuz, Echo	$ \begin{array}{cccccccccccccccccccccccccccccccccccc$		Ex. Stand2 for 25c		
ustion, Suited for all domestic pur- Interior Lumber Co, 18-1te	Ingval Quistad, Echo 852 9	27 10 13/16 82.9 109.9 772.1 7 48 94/16 47.8 95.8 922.2 1	COFFEE, Blue Rock	1-lb. jar 27c	Green Giant Mixe	ed Vegetables Z Cana Z
OU can buy your rails direct from anufacturer and save 20% to 50%. The of now 1037 models now avail- For literature and prices write Ren- adlus Mig. Co., Wood Lette, Mir or representative wanted. Write Mirar silican.	Repeating Our O	ffer of Last Week	I OAT MEAL S	legular 5 Pound 26 ^c	The Bigger, Sweeter, More Tender Kind, Who	le Beets $\dots 2^{\frac{28}{D_{L}}}$
adlu Mfg. Co., Wood Leke, Minn, repretentative wanted. Write for altion, 17-ite			COOKIES, Johnston Bu	ttered48 in pkg. 15c		
CARDS OF THANKS	TAN	KAR	and the second second second second	irypkg. 23c		er-Suds Fested Distanshing Los. Soop Ener Made Pkg.
OF THANKS-We are shearely ful to all the friends and relatived os many kind acts of sympathy dur- ur and bergayement. Our apprecia- rannot be corressed by merg works. E. P. Sebey and family. 18-lip			PRUNES 40-50 Size		Nature's Great Skin CRYST Beaulifier	AL WHITE
annot be expressed by mere words. E. P. Sebey and family. 18-11p			WHEATIES. With Shirley	Temple Picture	Per 50 DV	DAP 6 Start 2
OF THANKS-We wish to thank many friends and neichbors, also ex- our sincer approchains of their reseast and gramatily in the loss of belavel maker. We also rold, Fri- our thanked Lutheran their, Mr. were, the indice and the rath- rese, the indice and the the belavel of the source of the source of the source of the source of the reset. The indice and the the theorem is the source of the source of the reset. The source of the source of the reset of the source of the source of the reset.			TOILET TISSUE, Pure	Silk6 rolls 25c	Miracle W	hip * 9# 3
beloved mother. We also wish to ex- our thanks to the Rev. O. J. Erik- the United Lutheran choir, Mr.			SALMON Red Alma		Contains More of the Finer Ingredien	4
						nd Vegetables
Market Report		.9	TOMATO JUICE	an. Calif1-lb. can 9c	APPLES Washingt	Flavored 5 Lbs. 2
Thursday's Quotations ent No. 1\$1.35					Celery Well Bleached, Ter Minnesota Grow	ider · · 2 Largo 15c
s		PLUS TAX	In Our Modern	Meat Department	Grapefruit site At Alwe	aur Red Owl Store 5 For 25c
Iting Barley		1	VEAL STEAK	or Chops Lb. 25¢	Onions Minnesota Yellows	
x	Special Offer for	Friday Saturday		ASTib. 13c	Grapes Now at the Teak of S	Colored Clustors 3 Lbs. 25c tight Sweet Goodness 3 Lbs. 25c At the 6 Lbs. 25c
ht and Legh, Hens		d Monday	YEARLING LAMB CH	OPSlb. 15c	Sweet Potatoes Low Rushed to Lie From Virginia Fi	Price of ULhe, 40C
			PORK ROAST, Lean.	lb. 17c		4-Pound Cartons Lb. 12
Cocks		al 2c below regular price and cream for highest	FRESH GROUND BEEL	Flb. 17c RD2 lbs, 29c	A Timely Yaluel,	One-Pound Carton
eet Butterlat	prices.		WEINERS, Large	lb. 16c	Cervelat Saus	Sage Just Right Lb. 19
1 Butterfat	CONOCO	STATION	PORK CHOPS	Large Lb. 25¢	Sliced Bacon	12-Lb. 18
Anancial condition of Gran-		STATION		rices for Eggs and	"Hnrvest Queen" Cellophane	Wrapped
two banks is revealed in the erly statement published in ssue of The Tribune.	O. J. Olson, Prop. Phone	285 Granite Falls, Minn.	Dairy	Butter.	RED OWL F	OOD STORE
open of suc setunion			· · · · · · · · · · · · · · · · · · ·			



State of Minnesota,) (ss. County of Yellow Medicine.)

I, K. K. Berge, Mayor of the City of Granite Falls, in the Counties of Yellow Medicine and Chippewą, State of Minnesota, do hereby certify that the city charter proposed for adoption by the duly qualified and acting Board of Freeholders in and for the City of Granite Falls, a copy of which charter is hereto annexed and made a part hereof, was submitted to the voters of said city for adoption or rejection at an election held November third, 1936; that 962 votes were cast at said election, as follows: votes in favor of the adoption of said charter, 685; opposed, 194; blank ballots, 70, missing ballots 13; that said vote in favor of the adoption of said city charter constitutes more than the four-sevenths majority required for its adoption, and that pursuant thereto said charter will become the charter of the city of Granite Falls, Minnesota, superseding the existing charter of said city, from and after December 3rd, 1936.

Dated November sixth, 1936.

Mayor Mayor

Attest: O.P.Berg) Vity Clerk.

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(Seal)

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State of Minnesota,) County of Yellow Medicine.)

I, K. K. Berge, Mayor of the City of Granite Falls, in the Counties of Yellow Medicine and Chippewa, State of Minnesota, do hereby certify that the annexed proposed city charter was duly submitted to the city council of said city by the Board of Freeholders appointed by Hon. G. L. Qvale and Hon. Harold Baker, District Judges; that on September 18th, 1936, the city council at its regular meeting by resolution fixed November 3rd, 1936, as the date for submission of said charter to the vote of the electors of said city, and directed the city clerk to give such notice and make such preparations as were required by law for such election.

I do further cartify that fifteen days posted notice of said election was given, and that a sample ballot was published for one week in the Granite Falls Tribune, official newspaper of said city.

Mayor Mayor

O.P.Berg Olty Clerk

(Seal)

To the Honorable K. K.Berge, Mayor of the City of Granite Falls, in the Counties of Yellow Medicine and Chippewa, State of Minnesota, and the members of the City Council of said City:

We, the undersigned members of the Board of Freeholders heretofore appointed by Hon. G. E. Qvale and Hon. Harold Baker, 1- 2 Judges of the District Court of the Twelfth Judidial District, as a Board of Freeholders for the City of Granite Falls, do hereby report and deliver the draft of the proposed charter of the City of Granite Falls hereto attached, and recommend that said proposed charter be submitted to the voters of the City of Granite Falls for adoption according to law.

> Dated this 3rd day of August, 1936.

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L. M. M.RCUSON, Chairman J. L. PUTNAM, Secretary. WILLIAM LEE PAUL D STRATTON GEORGE H. DIL INGHAM L. OL JOHNSON LIFRED PETERSON B. A. DETERLING O. P. FLATEN GEORGE FAUSS OTE T. NESTE MARTIN NELSON HANS MA COLE M. B. LUNDQUIST J. J. KNUDSON

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MALL, BOUMMARING, FORMAS, AND GLADAAL PROVISIONS

Section 1. Name and Boundaries. The City of Granite Falls, in the Counties of Yellow Medicine and Chippewa, State of Minnesota, shall, upon the taking effect of this Charter, continue to . be a municipal corporation under the name and style of the City of Granite Falls, with the same boundaries as now are or hereafter may be established. The boundaries of said city shall comprise all that territory within the Counties of Chippewa and Yellow Medicine, State of Minnesota, described as follows:

Government Lots one (1), two (2), and Three (3), in Section Twenty-eight (28) in the County of Yellow Medicine, and Government Lot Three (3) in said section in the County of Chippewa, and all of Sections Thirtythree (35) and Thirty-four (34) in both counties, and the South Half of the Southwest Quarter of Section Twenty-seven (27) in the County of Chippewa, all in Township One Hundred Sixteen (116) North, of Range Thirty-nine (39), West of the Fifth Principal Meridian; also all that portion of Section Three (3) in Township One Hundred Fifteen (115), North, of Range Thirty-nine (39) West of the 5th P. M., in the County of Chippewa.

Section 2. Ward boundaries. Said city of Granite Falls shall be divided into two wards, as follows: the First Ward shall comprise all the territory within said city limits in the county of Yellow Medicine; the Second Ward shall comprise all the territory within the city limits situated in the County of Chippewa.

Section 3. Powers of the City. The City of Granite Falls, by and in its corporate name, shall have perpetual succession; and save as hereinafter otherwise provided, and save as prohibited by the Constitution or Statutes of the State of Minnesota, it shall have and exercise all powers, functions, rights and privileges

now or hereafter given or granted to municipal corporations having home rule charters by the constitution and laws of the State of Minnesota; also all powers, functions, rights and privileges usually exercised by, or which are incidental to, or inhere in, municipal corporations of like power and degree; also all municipal powers, functions, rights, privileges and immunities of every kind whatsoever; and in addition thereto it shall have all the powers and be subject to the restrictions contained in this charter. It may in its corporate name take and hold, by purchase, condemnation, gift or devise, real, personal or mixed property; and may lease and convey any and all such real, personal or mixed property, within or without its boundaries, as its purposes may require, or as may be useful or beneficial to its inhabitants; and it may contract with the county or with other municipalities for such joint services and utilities as may be desirable and for all other legitimate purposes.

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Section 4. Enumerated Fowers not Exclusive. The enumeration of particular powers by this charter shall not be held to be exclusive, but in addition to the powers enumerated therein, implied thereby, or appropriate to the exercise thereof, the City of Granite Falls shall have and may exercise all powers which under the Constitution of the State of Minnesota it would be competent for this charter specifically to enumerate. All powers of the city, whether expressed or implied, shall be exercised in the manner prescribed by this charter, or, if not prescribed therein, then in the manner provided by ordinance or resolution of the council. <u>Section 5. Construction of Charter</u>. The provisions of this charter shall be construed liberally in favor of the city, to the end that it may have all necessary powers for the efficient conduct of its municipal affairs, as contemplated by the municipal home rule provisions of the Constitution and Laws of the State of Minnesota.

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Section 5. 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 days from and after its adoption by the voters. CH.PTER 2.

FORM OF GOVERNMENT.

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<u>Section 7. Form of Government.</u> The form of Government established by this charter shall be known as the "Council-Mayor" plan. All powers of the city shall be exercised by the city council except as otherwise provided herein.

<u>Section 8. Elective Officers</u>. The elective officers of the city of Granite Falls shall be a Mayor, two alderman from the first ward, one alderman from the second word, one alderman at large, one municipal judge and one special municipal judge.

Section 9. appointive Officers. The appointive officers of said city shall be appointed by the city council and shall consist of the following: a city attorney, engineer, street commissioner, city clerk, board of health, library board, chief of police and such other police officers and agents as may be necessary, park board, fire warden, a city treasurer, one appeasor from that portion of the city lying in Yellow Medicine County and one appeasor from that portion of the city lying in Chippewa County, and such other officers and agents as may be necessary for the proper administration of the affairs of the city.

Section 10. "Erm of Office. The term of office of all elective officers, except that of municipal judge and special municipal judge, shall be two years; provided, however, that at the first election held after the adoption of this charter the mayor and alderman at large shall be elected for a term of one year, and the two alderment from the first ward, and one alderman from the second ward ward shall be elected for two years. That following said first election each elective officer shall be elected for a term of two were pears, the mayor and alderman at large being elected in each were numbered year, and the aldermen from the first and second ward in each ere numbered year. All said officers shall serve until their successors are elected and qualafied.

Section 11. Term of Office, Municipal Judges. The term of office of municipal judge and special municipal judge shall be four years.

Section 12. Term of Office, Appointive Officers. The term of office of all appointive officers shall be one year, and until their subcessors are appointed and properly qualified.

Section 13. Incompatible Offices. No member of the council, shall be appointed to or hold any paid municipal office or employment under the city; and no former mayor or member of the council shall be appointed to any paid office created during the term of such mayor or councilman until one year after the expiration of the term or such mayor or councilman.

Section 14. Vacancies in the Countil. A vacancy shall be deemed to exist in the council whenever any person elected thereto shall fail to qualify on or before the date of the second regular meeting of the council, or by reason of the death, resignation, removal from office, removal from the ward from which he was elected, continuous absence from the city for more than three months, or conviction of a felony of any such person, either before or after his qualification, or by reason of the failure of any councilman without g od cause to perform any of the duties of membership in said council for a period of three months. In each such case the council shall by resolution declare such vacancy to exist, and shall forthwith appoint an eligible person to fill said vacancy until the next regular municipal election, when the office shall be filled fof the unexpired term; provided, that any vacancy arising from a recall election or resignation following the filing of a recall petition shall be filled in the manner hereinafter provided.

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Section 15. Salaries. The Mayor and Councilmen shall serve without compensation except when acting as a Board of Equalization, but may be reimbursed upon properly verified claim presented to the council for expenses necessarily incurred in the performance of their duties.. All appointive officers and employees of the city shall receive such salaries or wages as may be fixed from time to time by resolution of the council.

Section 16. The Mayor. The Mayor shall be the chief executive officer of the city, and shall exercise all the powers and perform all the duties conferred and imposed upon him by this charter, the ordinances of the city and the laws of the state. He 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 military law. He shall study the operation of city government and report to the council any neglect of duty or waste on the part of any officer or department of the city. He shall be a member of the council and preside over its meetings; He shall be the head of and have control of the police force, maintain order and enforce the law. The vice president of the council shell perform the duties of mayor during his absence or disability, and while so acting shall be known and styled "acting mayor". In the event of a vacancy in the office of mayor whether by death, resignation or any other cause, the vide president of the council shall become mayor to fill the vacancy for the unexpired term, and the council shall appoint one of its members to the office of president of the council as provided in Section 14, but in case of a recall the vacancy shall be filled in the manner provided by this charter.

Section 17. Investigation of City Affairs: The Council and the Mayor, or either of them, and any officer or officers formally authorized by them, or either of them, shall have power to make investigation of the city's affairs, to subpoen witnesses, administer oaths, and compel the production of papers and books. The Council may at any time provide for an examination or audit of the accounts of any officer or department of the city government.

Section 18. Administrative Board. The Council shall appoint three park commissioners, a Board of Health consisting of three members, a library board, and such other boards and commissions as it may deem necessary. Said park commissioners shall hold office for three years and until their successors shall have been appointed and qualified. The members of the library board shall hold office for three years, and until their successors are appointed and qualified; the first members of said board being appointed three for one year, three for two years, and three for three years. The members of the Board of Health shall be appointed annually. The duties of the various boards and commissions shall be fixed by the council by ordinance. All such boards shall be advisory only, and money appropriated for their use shall be expended by them under the direction and supervision of the city council.

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PROCEDURE OF COUNCIL.

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Section 19. Council Meetings. On the fourth Tuesday in January following a regular municipal election, the council shall meet at the usual place and 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 ordinance or resolution, except that they shall meet not less than once each month. The mayor may, and upon written request of three aldermen shall call special meetings of the council by giving written notice to each of its members, such notice to be delivered personally to each member or left with some responsible person at the member's usual place of residence. No business shall be transacted at any special meeting unless the subject of the same shall have been specified in the written notice thereof. No action shall be taken at such special meeting except by the affirmative vote of a majority of the members of the council. All meetings of the council shall be public and any citizen shall have access to the minutes and records thereof at all reasonable times.

Section 20. Vice President. At the first meeting of the City Council each year they shall proceed to elect by ballot from their number a Vice President. During the absence of the Mayor from the City, or his inability from any cause to discharge the duties of his office, the Vice President shall exercise all the powers and discharge all the duties of the of the Mayor. In the absence of the Mayor from any meeting the vice President shall act as ppesiding officer for the time being. The vide president of the council while performing the duties of mayor shall be styled "acting Mayor" and the acts so performed shall have the same force and validity as if performed by the mayor.

Section 21. Secretary of the Council. The City Clerk shall act as secretary of the council at all its meetings, and shall keep such records and perform such other duties as may be required by this charter or by a vote of the council.

Section 22. Rules of Procedure and Quorum. The council shall determine its own rules and order of business, and keep a journal of its proceedings. A majority of all members elected shall constitute a quorum to do business, but a less number may adjourn from time to time. The council shall provide by ordinance or resolution means by which a minority may compel the attendance of absent members.

Section 23. Ordinances and Resolutions. Every legislative act of the city council shall be by ordinance or resolution. The enacting clause of every ordinance shall be "The City of Granite Falls do ordain as follows". Every ordinance shall be presented in writing, and except in the case of an emergency ordinance shall have two public readingstin full. No prdinance except an emergency ordinance shall be introduced except at a regular meeting, at which meeting it shall have its first reading. Its second reading shall be held at a subsequent regular or ad-

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journed regular meeting, occurring not less than one week after its first reading, and it may be passed only at a regular or adjourned regular meeting, occurring at least one week after its first reading, and no ordinance shall be passed, except an emergency ordinance, until it has had two readings as herein provided. No ordinance shall be reconsidered except at the first regular meeting after its adoption or r_{i} jection, nor at such meeting unless there are present as many members of the council as were present when said ordinance was adopted or rejected.

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Section 24. Appropriations. All appropriations of money shall be by ordinance, save that where an obligation has been inourred by ordinance, payment thereof may be ordered by resolution if the amount exceeds give hundred Jollars (4500.00), or by ordinary motion if the amount involved is less than that sum; and save also that licenses may be granted, property acquired for public uses, and local improvements ordered, by resolution.

Dection 25. Passage of Ordinances. Every final vote up in all ordinances, resolutions, and motions, and upon all amendments thereto, shall be by ayes and noes, and the vote of each member shall be recorded in the minutes. The votes of at least a majority of all the members of the council shall be required for the passage of all ordinances, resolutions and motions, except as otherwise provided in this charter.

Section 26. Emergency Ordinance and Resolution. An emergency ordinance or resolution is an ordinance or resolution for the immediate preservation of the public peace, health, or safety, in

which the emergency is defined or declared in a preamble thereto, separately voted upon, and agreed to by at least three members of the council, as reqorded by ayes and noes. An emergency ordinance or resolution must be in writing but may be enacted without publication. No grant of any franchise shall be construed to be an emergency ordinance or resolution.

Section 27. Signing and Fublication of Ordinances. All ordinances and resolutions passed by the council shall be signed by the mayor and attested by the Clerk. Upon the passage of any ordinance it shall be published once in the official newspaper of the city before it takes effect, and proof of publication thereof shall be filed with the clerk. Emergency ordinances and resolutions and ordinances and resolutions making the annual tax levy, determining the annual budget, and providing for local improvements, shall take effect immediately up n their passage.

Section 23. Amendment and Repeal of Ordinances and Resolutions. No ordinance or resolution of section thereof shall be repealed or amended by reference to its title alone, but such amending or repealing ordinance or resolution shall contain a statement of the subject matter of the ordinance or resolution or section thereof to be amended or repealed, together with the amended form thereof in case of amendment.

Section 29. Revision and Codification of Ordinances. The ordinances of the city may from time to time, by a single ordinance, be revised, rearranged and codified and any new matter may be added which may be deemed necessary by the council. Such revision and codification may be published in book form and such publication shall be held to be a sufficient publication of all of the ordinances contained therein. Every such book shall contain a printed certificate of the mayor and city clerk that the publication is correct; and such book so published shall be refeived in evidence in any court for the purpose of proving the ordinances therein contained the same and for the same purpose as the original ordinances, books, minutes or journals would be received.

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ADELINISTRATION OF CITY APPLIES.

<u>Section 30, Council Administration</u>. The entire management and administration of the city affairs, including all exective and administrative powers, authority, and duties, except such executive authority as may be by this charter vested in the mayor oity as shief executive of the city, shall be vested in the/council.

Eaction 31. Department of administration. The council may create such departments, divisions, and bureaus for the administration of the city's affairs as may seem necessary, and from time to the alter the powers and organization of the seme. It may combine the duties of various officers and may alter the powers and organization of or abolish any department as conditions may justify.

Soction 32. Subordinate Offices. The Council shall appoint a city elerk, engineer, attorney, and other officers enumerated in Soction 9 hereof, each selection being made by reason of the individual's ability or training, and may remove them for sufficient cause after giving such appointees a reasonable hearing. All appointed officers and heads of departments shall attend council meetings when requested so to do, and keep the council fully informed as to the operation and needs of their respective departments a and shall perform all other duties prescribed by this charter or council.

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Soction 33. Furchases and Contracts. The City Clerk shall be the chief purchasing agent of the city, all purchases being made and all contracts for equipment, materials and supplies to be let by direction of the council. All contracts, except for ordinary supplies, and all bones, certificates of indebtedness and other instruments to which the city will be a party shell be signed by the mayor and city clork on behalf of the city.

Section 54. Contracts, How Let. In all cases of work to be done by contract, or of the purchase of property of any kind, when the amount involved is more than five hundred dollars (\$500.00), unless the council, by an emergency ordinance,, shall provide otherwise, it shall advertise for bids in the official paper of the city. Contracts shall be let to bhe lowest resp nsible bidder. The council may, however, reject any and all bids; and nothing contained herein shall provent the city from contracting for the doing of work with patented processes, or from purchasing patented appliances. The council shall regulate the making of bids and letting of contracts by ordinance.

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CHAPTER 5.

NOMINATI NS AND ELECTIONS.

Section 35. Regular Municipal Elections. A regular municipal election shall be held on the third Tuesday in January of each year at such place or places as the city council may designate, to elect officers as herein provided. On the third Tuesday in January and of each even numbered year there shall be elected a mayor, aldgrman at large, and in each odd numbered years there shall be elected two aldermen from the first ward and one alderman from the second ward. Provided, however, that at the first election held following the adoption of this charter said officers shall be elected for the terms specified in Section 10 hereof.

Not less than ten days before the day of such election the city cherk shall post in three conspicuous places in the city, or or both, publish once in the official newspaper,/as the city council may direct, a notice of the election; but failure to give such notice chall not invalidate such election. At the regular election there shall be elected in addition to the municipal officers such municipal judges as may be provided by law.

Section 36. Special Elections. The council may by resolution adopted by a affirmative vote of a majority of its members, order a special election of the voters of the city and provide for holding the same. The procedure at such election shall conform as nearly as possible to that herein provided for other municipal elections. The purpose of such special

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election shall be clearly stated in such resolution and no other matter shall be submitted thereat.

Section 37. Judges and Clerks of Election. The council shall at least ton days before each municipal election appoint three qualified voters of each election district to be judges of election therein. The judges of each election district shall appoint two qualified electors of the same district, or as many more as may be authorized by the council, to serve as electes of election. The co council may in its discretion appoint relief judges and clerks as authorized by statute.

Section 38. Candidates. Not less than twenty days receding the city election any eligible person desirous of having his name placed upon an official election ballot as a candidate for an office to be voted for at such election shall file an affidavit with the city clerk, stating his residence, that he is a qualified votor of the city of Granite Jalla, and the name of the office for which he desires to be a candidate; and upon payment of a fee of \$1.00 to the city clerk that officer shall accer such affidavit and place the name of such candidate upon the official election ballot without any party designation. There shall be no primary election, but the filing of such affidavit shall be a prerequisite to having the name of the candidate placed on the official ballot for the city election.

Section 39. Convass of Elections. The council shall meet and convaks the election returns within three days after

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any regular or special election, and shall make full declaration of the results as soon as possible and file a statement thereof with the city clork. This statement shall include: (a) the total number of good ballots cast; (b) the total number of specied or defective ballots; (c) the vote for each candidate; with an indication of those who are elected; (d) a true copy of the ballots used; (c) the names of the judges and clerks of election; and (f) such other information as may seem pertinent. The city clerk shall forthwith notify all persons elected of the fact of their election.

Section 40. Procedure at Elections. The conduct of elections shall be regulated by ordinance, subject to the provisions of this charter and of the general laws of the State of Minnesota.

Dection 41. Election Districts. Each word in the city shall contain at least one election district, and additional, election districts may be established and the boundaries thereof subsequently changed by ordinance or resolution of the council adopted at least ninety days before the next ensuing election; and sixty days posted notice thereof shall be given before the change shall take effect.

CHAPTER 6.

INITIATIVE, REFERENDUM, AND RECALL.

Section 41. Powers Reserved by the People. The people of Granite Falls reserve to themselves the powers, in accordance with the provisions of this charter, to initiate and adopt ordinances and resolutions, to require measures passed by the council to be referred to the electorate for approval or disapproval, and to recall elected public officials. These powers shall be called the initiative; the referendum and the recall, respectively.

Section 42. Expenditures by Petitioners. No member of any initiative, referendum or recall committee, no circulator of a signature paper, and no signer of any such paper, or any other person, shall accept or offer any reward, pecuniary or otherwise, for services rendered in connection with the circulation thereof, but this shall not prevent the committee from incurring an expense not to exceed twenty dollars for legal advice, stationery, copying, printing and notaries' fees. Any violation of the provisions of this section shall constitute a misdemeanor.

Section 43. Further regulations. The council shall, as soon as possible after the organization of the city government under this charter, provide by ordinance such further regulations for the initiative, referendum and recall, not inconsistent with this charter, as may be deemed necessary. Such ordinance shall include the relevant provisions of this charter.

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Section 44. Initiation of Measures. Any five electors may

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form themselves into a committee for the initiation of any measure of public concern. After formulating their measure they shall file a verified copy thereof with the city clerk tog ther with their names and addresses as members of such committee. They shall also attach a verified copy of the proposed measure to each of the signature papers herein described, together with their names and addresses as sponsors therefor.

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Section 45. Form of Petition and Signature Papers. The petition for the adoption of any measure shall consist of the measure, together with all the signature papers and affidavits thereto attached. Such potition shall not be complete unless signed by a number of voters equal to at least ten per cent of the total number of votes cast at the last preceding regular municipal election. All the signatures need not be on one signature paper, but the circulator of every such paper shall make an affidavit that each signature appended to the paper is the genuine signature of the person whose name it purports to be. Each signature paper shall be in substantially the following form:

INITIATIVE PETITION?

Name

proposing an ordinance (or resolution, as the case may be) to (stating the purpose of the measure), a copy of which ordinance (or resolution) is hereto attached. This measure is sponsored by the following committee of electors:

The undersigned electors, understanding the terms and the nature of the measure hereto attached, petition the council

Address

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of the city of granite falls for its adoption, or, in lieu thereof, for its submission to the electors for their approval.

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At the end of the list of signatures shall be appended the affidavit of the circulator, mentioned above.

Section 46. Filing of Petition and Action Thereon. 111 the signature papers shall be filed in the office of the city clork as one instrument. Within five days after the filing of the petition the city clerk shall ascertain by examination the number of electors whose signatures are appended thereto, and whether this number is at least ten per cent of the total number of electors who cast their votes at the last preceding municipal election. If he finds the petition insufficient or irregular, he shall at once notify one or more of the committee of s moors of that fact, certifying the reasons for his finding. The committee shall then be given 30 days in which to file additional signature papers and to correct the petition in all other particulars. If at the endof that period the petition is found to be still insufficient or irregular the clerk shall file the same in his office and shall notify each member of the committee of that fact. The final finding of the insufficiency or irregularity of a petition shall not prejudice the filing of a new petition for the same purpose, nor shall it prevent the council from referring the measure to the electors at the next regular or any special election, at its option.

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Section 47. Action of Council on Petition. Thenever the petition shall be found to be sufficient, the city clerk shall so certify to the council at its next meeting, stating the number of petitionors, and the percentage of the total number of voters which they constitute, and the council shall at once read the measure and refer it to an appropriate committee, which shall be a committee of the whole. The committee or council shall theroupon provide for public hearings upon the measure, after the holding of which the measure shall be final y acted upon by the council not later than sixty-five days after the date upon which such measure was submitted to the council by the tity clerk. If the council shall fail to pass the proposed measure, or shall pass it in a form different from that set forth in the petition and unsatisfactory to the petitioners, the proposed measure shall be submitted by the council to the vote of the electors at the next regular municipal election. But in case the number of signers of said petition is equal to at least twenty-five per cent of the total number of voters voting at the last municipal election, then the council shall call a special election upon the measure to be held not less than thirty nor more then forty-five days from such date, unless a regular municipal election is to occur within three months, in which case it may be submitted at such regular municipal alection. In case the council passes the proposed measure with amendments and at least four-fifths of the committee of petitioners do not express their dissatisfaction with such amended form by a certificate filed with the city clerk within ten days from the

passage thereof by the council, then the measure need not be submitted to the electors.

Section 48. Initiative Bellots. The ballots used when voting upon any such proposed measure shall state the substance thereof, and give the voter the opportunity to vote either "For the Measure" or "Against the Measure". If a majority of the electors voting on any such measure shall vote in favor thereof, it shall thereupon become an ordinance or resolution of the city as the case may be. Any number of proposed measures may be voted upon at the same election, but in case there shall be more than one, the voter shall be allowed to vote for or against each separately.

Section 49, Initiation of Charter Amendments. Nothing in this charter contained shall be construed as in any way affecting the right of the electors under the constitution and statutes of Minnesota to propose amendments to this charter.

Section 50. The Referendum. If prior to the date when an ordinance or resolution takes effect a petition signed by qualified clectors of the city equal in number to twenty-five (25) per cent of the total vote at the last regular municipal election be filed with the city clerk, requesting that any such measure, or any part thereof, be repealed or be submitted to a vote of the electors, the said measure shall thereby be privented from going into oper-The council shall thereupon reconsider the said measure ation. at its next regular meeting, and either repeal the same, or repeal the section thereof to which objection has been raised by the petitioners, or by ave and no vote reaffirm its adherence to the measure as passed. In the latter case the council shall immediately order an election to be held thereon, pending which the ordinance

or resolution shall remain suspended. If a majority of the voters voting thereon are opposed to the measure, it shall not become effective; but if a majority of the voters voting thereon favor the measure, it shall go into effect immediately or on the date there**in** specified.

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Section 51. Referendum Petitions. The requirements laid down in Sections 44 and 45 above as to the formation of committees for the init&ation of measures and as to the form of petitions and signature papers shall apply to the referendum as far as possible, but with such verbal changes as may be necessary. A referendum petition shall read as follows:

REPERENDUM PETITION.

proposing the repeal of an ordinance (or resolution) to (stating the purpose of the measure) a copy of which ordinance is hereto attached. The proposed repeal is sponsored by the following committee of electors:

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Address

The undersigned petitioners, understanding the nature of the measure hereto attached, and believing it to be detrimental to the welfare of the city, petition the council for its submission to a vote of the electors for their approval or disapproval.

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This petition shall be signed and verified as provided in the case of the initiative petition in Section 45 above.

<u>Section 52.</u> <u>Referendum Ballobs.</u> The ballots used in any referendum election shall conform to the rules laid down in Section 48 of this charter for initiative ballots.

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<u>Bection 63.</u> The Hecall. Any five electors may form themselves into a committee for the purpose of bringing about the recall of any elected officer of the city. The committee shall certify to the city clerk the name of the officer whose removal is sought, a statement of the grounds for removal in not more than two hundred fifty words, and their intention to bring about his recall. A copy of this certificate shall be attached to each signature paper and no signature paper shall be put into circulation revious to such certification.

Section 54. Recall Fetitions. The petition for the recall of any official shall consist of algorithmicate identical with that filed with the city clerk together with all the signature papers and affidavits thereto attached. All the signatures need not be on one signature paper, but the circulator of every such paper shall make an affidavit that each signature appended to the paper is the genuine signature of the person whose name it purports to be. Each signature paper shall be in substantially, the following form:

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ment is	sponse	ored by	the :	followi	ng oom	mittee	of ele	etore:

Address

The undersigned electors, understanding the nature of the

charges against the officer herein sought to be recalled, desire the holding of a recall election for that purpose.

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At the end of the list of signatures shall be appended the affidavit of the circulator mentioned above.

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Section 55. Filing of Vetition. Within thirdy days after the filing of the original certificate, the committee shall file the completed petition in the office of the city clerk. The oity clerk shall examine the same within the next five days, and if he finds it irregular in any way, or finds that the number of signers is less then twenty-five per cent of the total number of electors who cast their votes at the last preceding regular municipal election, he shall so notify one or more members of the committee. The committee shall then be given ten days in which to file additional signature papers and to correct the petition in all other respects, but they may not change the statement of the ground upon which the recall is sought. If at the end of that time the city clork finds the petit on still insufficient or irregular, he shall notify all the members of the committee to that effect, and shall file the petition in his office. No further action shall be taken thereon.

Section 56. Recall Election. If the petition or amended , petition be found sufficient, the city clerk shall transmit it to the council without delay, and shall also officially notify the person sought to be recalled of the sufficiency of the petition and of the pending action. The council shall, at its next meeting, by motion, provide for the holding of a special recall election not less than thirty nor more than forty-five days thereafter, provided that if any other municipal election is to occur within sixty days after such meeting, the council may in its discretion provide for the holding of the recall election at that time.

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Section 57. Procedure at Recall Election. In the ublished call for the election, whether posted on bulletin boards or printed in the official paper, there shall be given the statement of the grounds for the recall and also, in not more than five hundred words the answer of the officer concerned in justification of his course in office. Candidates to succeed the officer to be recalled shall be nominated in the usual way, and the election shall be conducted as far as possible in accordance with the usual procedure in municipal elections.

Section 58. Form of Ballot. Unless the officer whose removal is sought shall have resigned within ten days after the receipt by the Council of the completed recall petition, the form of ballot at such election shall be as near as may be as follows: "Shall <u>(name of officer)</u> be recalled?" The name of the officer being inserted in the blank space, and the electors shall be permitted to vote separately "Yes" or "No" upon this question. The ballot shall also contain the names of the candidates to be voted upon to fill the vacancy in case the recall is successful, under the caption: "Candidates to fill the place of ______, if recalled." But the officer whose recall is sought shall not himself be a candidate upon such ballot. In case a majority of those voting for and against the recall of any official shall vote in favor of recalling such official, he shall thereby be removed from office, and in that event the condidate who receives the highest number of votes for his place shall be elected thereto for the remainder of the unexpired term. If the officer sought to be recalled shall have resigned within ten days after the receipt by the council of the completed recall petition, the form of ballet at the election shall be the same, as nearly as may be, as the form in use at a regular municipal election.



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Grantic Section 59. Power to Acquire Property. The City of Granite ralls is hereby empowered to acquire, by purchase, gifty devise or condemnation, any property, corporeal or incorporeal, either within or without its corporate boundaries, which may be nseded by said city for any public use or purpose. In addition to the power to acquire property for other public purposes, the city may also acquire as herein provided, any gas, water, heat, power, light, telephone or other plant or public utility; but no proceedings to acquire any such public utility shall be consummated unless the city has the money in its treasury to pay for the same or has by vote of the people made provision for paying for the property proposed to be acquired. Easements for slopes, fills, sewers, building lines, poles, wires, pipes and conduits for water, gas, heat and power may be acquired by gift, devise, purchase or condemnation in the manner provided by law.

Section 60. Proceedings in Taking Property. The necessity for the taking of any procerty of the sity shall be determ ned by the council and shall be deddared by a resolution which shall describe such property as nearly as may be and state the use to which it is to be devoted. The acquisition of such property may be accomplished by proceedings at law, as in taking land for public use by right of eminent domain according to the laws of this state, except as otherwise provided in this chapter. <u>Section 61. Payment of Award</u>. Whenever an award of damages shall be confirmed in any proceedings for the taking of property under this chapter, 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 funal determination, pay the amount of the award with interest thereon at the rate of six per cent per annum from the date of the confirmation of the award or judgment of the court, asthe case may be, and if not so paid, judgment therefor may be had against the city.

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Section 62. Gity May Abandon Proceedings. The city may, be resolution of the council at any stage of the condemnation proceedings, or at any time within thirty days after any commissioners appointed by the court hereunder shall have filed their report with the clerk of court, or in case of an appeal to the district or supreme court, 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 costs thereof.

Section 63. City may take Entire Plant. In case the city shall condemn a public utility which is operated at the time of the commencement of condemnation proceedings as one property or one system, it shall not be necessary in such condemnation proceedings or in any of the proceedings of the council, to describe or treat seppemtely the different kinds of all of the property, lands, articles, franchises and rights which enter into and go to make up such system, and they 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. But this shall not prevent the city, in cases where the plant property is separable into distinct parts, from taking only such part or parts thereof as may be necessary in the public interests.

CHAPTER 8.

FIRE DEPARTMENT.

Section 64. Fire Department. There shall be a fire department, either volunteer or paid, but the council may establish an all paid department by ordinance adopted by a three-fifths vote. The council may employ one equipment carctaker and driver and one assistant on a monthly salary, and may pay volunteer members a maderate compensation for active service in fighting fires.

Section 65. Officers. The fire department shall cleat a chief, an assistant chief, and such other officers as may be needed, and may adopt regulations for its government, subject to the approval of the council.

Section 66. Destruction of Buildings. Thenever any building in the city shall be on fire, it shall be lawful for, and shall be the duty of the mayor or the chief of the fire department to order the destruction and removal thereof, and to destroy, pull down and remove such building, or any other building in the vicinity, or any part thereof that he may deem hazardous or likely to communicate fire, and no action shall be maintained against any person, or said city, therefor, or on account thereof.

Section 67. lowers and Duties of Chief. The council shell prescribe by ordinance the powers and duties of the chief of the fire department and make such rules and regulations as may be necessary and proper for the efficient conduct of the department.

Section 68. Penalties. If any person shall at any fire refuse to obey the orders of the Chief of the Fire Department, or or other officer vested with authority at such fire, such person shall be guilty of a misdemeanor and shall be punished as preseribed by the ordinances of the city, or in case the offense is not punishable under the ordinance of the city, then as a misdemeanor under the laws of the State.

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CHAPTER 9. DRANCHICKS

Section 69; Frenchises Defined. The word "frenchise" as used in this Chapter, shall be construed to mean any special privilege granted to any person, co-partnership or corporation, in, over, upon or under any of the highways or public places of the city, whether such privilege has heretofore been granted by the city or by the State of Minnesota.

Section 20. Franchise Ordinances. The council may grant franchises and renewals, extensions and amendments thereto, which shall be granted or made only by an ordinance adopted by a three-fifths vote of the council. No franchise shall be granted as an emergency ordinance, and no proposed franchise ordinance shall be adopted until it has been placed on file in the office of the city clerk and a public hearing has been held uppn such proposal after published notice thereof; and provided, also, that the granting of any such proposed ordinance shall be subject to the referendum provisions of this charter as set forth in Chapter 6. No public utility franchise shall be transferred except with the approval. of a three-fifths vote of the council expressed by resolution or ordinance; and copies of all transfers and mortgages or other doduments affecting title or use of public utilities shall be filed with the city clerk within ten days after the execution thereof. Franchises may require a tax of not to exceed six per cent of the gross earnings of the company operating thereunderly in the discretion of the council, and may provide for its collection and method of payment.

Ecction 71. Term of tranchise. No perpetual franchise shall ever be granted, nor shall any franchise be granted for a longer period than twenty years. An exclusive franchise shall be granted only upon the unanimous vote of the council.

Section 72. Fower of Regulation Reserved. All franchises shall be granted subject to the police power of the city, and the city shall have the right and power to regulate and control the exercise by any corporation, co-partnership or person of any franchise, however acquired, and whether such franchise has been heretofore granted by it or by the State of Hinnesota, or shall hereafter be granted by the city or by the State of Hinnesota.

Section 73. Regulation of Mates and Charges. All corporations, co-partnerships and persons exercising franchises in the city shall give courteous, efficient and adequate service at reasonable rates to be fixed by the council. A reasonable rate shall be construed to be one which will, with efficient management, normally yield, above all operating expenses and depreciation, a fair return upon all money honestly and efficiently invested in the plant and equipment properly used by the company in the public service within the city, previously agreed upon as a rate base, as a condition of all franchises hereinafter granted. This shall not be construed as a guarantee of a return, and in no esse shall there be any return upon the franchise value. Tithin these limits, the determination of the maximum price or rate to be charged by any company for service rendered to the city or to any person or persons within the city shall be made, if possible, by direct negotiations

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between the company and the council at ublic hearings. In case of failure to reach an agreement by this method, the council shall not less than thirty days before the expiration of any existing rate schedule or agreement, appoint the city clerk of some export as its representative; the company shall appoint a representative, and these two shall by mutual agreement select a third person, preferably an expert in valuation and rate making, who shall together constitute a board of arbitration. This board shall report its findings as soon as possible, and the rate which it shall agree upon by a mejority vote shall be the legal rate, subject to revision by any court of competent jurisdiction. Schedule of rates thus fixed shall be as flexible as may be, and shall in no case fix a definite rate for a period of more than five years nor beyond the termination of the franchise. The city and the company may, by mutual agreement, revise existing schedules of rates at any time, proceeding in such case as provided for the original fixing of the rates.

Cection 74. Conditions of Franchise. Every franchise which does not contain the provisions prescribed in this section shall be absolutely void and incapable of ratification by estoppel or otherwise. Every franchise shall contain the following proviolons:

(a) That the grantee shall be subject to and will perform on its part all of the torms of this chapter as well as all other pertinent provisions of this charter.

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(b) That the grantee shall in no case claim or pretend

to exercise any powers to fix farcs, rates or charges; but that such fares, rates and charges shall at all times be just, fair and reasonable for the services rendered, and shall in all cases be fixed and from time to time changed in the manner provided in Section 73 of this charter.

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(c) That the council shall have the right to require reasonable extensions of any public service system from time to time, and to make such rules and regulations as may be required to secure adequate and proper service and to provide sufficient accomodations for the public.

(dd That the grantee shall not issue any capital stock on account of the franchise or the value thereof, and that the grantee shall have no right to receive, upon condomnation proceedings brought by the city, to acquire the public utility exercising such franchise, any return on account of the franchise or its value.

(c) That no sale or lease of said franchise shall be effective until the assignee or lesses shall have filed in the office of the city elerk an instrument, duly executed, reciting the fact of such sale or lease, accepting the terms of the franchise, and agreeing to perform all the conditions required of the grantee thereunder. The assignee or lesses shall also file a bond in such amount and with such conditions as the council may require, which bond shall run to the city as obligee, with sureties satisfactory to the council, and shall obligate the assignee or lesses to discharge all obligations and liabilities im osed by said franchise. (f) That every grant, in said franchise contained, of permission for the erection of poles, masts, or other fixtures in the streets and for the attachment of vires thereto, or for the laying of tracks in, or pipes or conduits under the streets or public blaces, or for the blacing in the streets or other public places of any permanent or semi-permanent fixtures whatsbever, shall be subject to the c aditions that the council shall have the power to require such alterations therein, or relocation or rerouting thereof, as the council may at any time decan necessary for the safety, health or convenience of the public, and particularly that it shall have the power to require the removal of poles, masts, and other fixtures bearing wires and the placing underground of all wires for whatsoever purpose used.

(g) Every franchise and every extension or renewal of such franchise shall contain a provision for its acceptance in writing by the grantee within thirty days after its passage by th the council, and before its sublission to a vote of the people in case of a reforendum. No such franchise chall be binding upon the city until its acceptance by the grantee, fuch acceptance shall be construed to be an acceptance of, and consent to, all the terms, conditions and limitations contained in the ordinance granting the franchise as well as of the provisions of this charter.

(h) Every franchise shall be granted subject to the right of the city to acquire all rights and property thereunder within the city limits by eminent domain at the end of every five years, if a majority of the voters of the city vote in

(A) (A) fovor of such acquisition.

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The violation by the holder of any franchise of any of the express provisions prescribed by this section, or the failure to supply a reasonably adequate service under any franchise, shall be sufficient cause for the forfeiture of all rights under the franchise by a resolution of the council.

Section 75. Limitations. The enumeration in this charter of particular matters which must be included in every franchise shall not be construed to limit the right of the city to insert in such franchise 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 limitthe right or power possessed by the city over existing franchises.

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PUBLIC IMPROVIMENTS AND SPECILL ACCOUNTERING. Section 76. The City Plan. The city council may, with the assistance of a city engineer and an advisory city planning commission which may be authorized and appointed by the city council and such other service as it may doom necessary, propare and adopt by ordinance a complete plan for the physical development of the Such plan may be altered from time to time. It shall city. contain provisions for zoning to regulate the location, size, use and height of buildings on lots, and the density of population within the city; and may make different regulations for different districts thereof; and may include provisions for platting and development of new areas, for the planning and location of public works of art, public buildings, parks, playerounds, bridges, transportation lines and other public facilities, and for the laying out, greding and improvelng of streets, streams and public places, as well as for all other matters which may seem essential to such plan.

Section 77. Enforcement of Gity Plan. The city council shall have all necessary power to compel complete adherence by all persons to the plan adopted, and officers are charged with the duty of reporting to the city council all departures from the city plan which some to their attention.

Section 78. Power to Make Improvements and Levy Assessments. The city of Granite Falls 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 as essments for all such as are of a local character. The amounts assessed to benefitted property to pay for local improvements may equal the cost of the improvement, plus necessary incidental expenses with interest until paid, but shall in no case exceed the value of the benefits received by such property.

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Section 79. Local Improvement Regulations. After this charter takes effect all local improvements shall continue for the time being to be made under the laws previously applicable thereto as far as possible. The council shall prepare and adopt a comprehensive ordinance, prescribing the procedure which shall be followed thereafter in making all local improvements. and such ordinance when adopted shall supplant all other provisions of the law on the same subject and may be amended only by a vote of a majority of all the members of the council. Such ordinance shall provide for such notice and hearing in the ordering of improvements and the making of assessments therefor as shall be necessary to meet constitutional requirements. Such ordinance shall also require a petition of a majority in number and interest of the owners of property to be assessed for such improvement or improvements, or for the initiation of such improvements; provided, the council may proceed upon its own initiative hercunder and under such ordinance by resolution adopted by unanimous vote of the council after proper notice and hearing.

Under this charter no costs of the improvement of street intersections or improvements lying therein or therew on nor for more than one-half of the cost of improvements located opposite to any property owned b the city shall be assessed upon benefited property, but the city shall pay such costs out of taxes through the permanent' improvement fund.

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Section 80. Fublic Morks. Now Ferformed. Fublic works, including all local improvements, may be constructed, outended, repaired and maintained either by contract, or, if the estimated cost is less than one thousand dollars (Q1,000.00), directly by day labor. Before receiving bids the city clerk, under the direction of the council, shall have suitable plans and specifications prepared for the proposed material/project and the estimate of the cost thereof in detail. The eward of any contract amount ing to more than twenty-five thousand dollars (\$25,000.00) shall require a three-fifths vote of the council. When the best interests of the city will be served thereby, the city council may organize a construction department under competent supervision and provided with suitable equipment. The right is reserved to the city council, u on the recommendation of the city engineer, acting through the construction department, to bid on any work to be let by contract. All contracts shall be let to the lowest responsible bidder, but the term "lowest responsible bidder" shall be interpreted as giving the council the right to accept any bid which it determines to be most advantageous bo the city. The council shall reserve the right to reject any or all bids. Detailed proceedings governing advertising for hids and executing contracts shall be specified by ordinance. The city shall require

contractors to give proper bonds for the protection of the city, employees, and material men.

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CHAPTER 11

MULIC OWNERSHIP AND OPERATION OF UTILITIES. Section 81. Accuisition and Operation of Utilities. The city shall have power to acquire public utilities by condemnation as provided under Chapter 7 of this Charter, or may purchase or establish the same, either within or without the city limits, and to supply the city and to sell to its inhabitants and to persons, firms or corporations inside or outside the city, within a reasonable trade area, all products of any public utility operated by the city.

Scotion 82. Rates and Finances. The city council shall have the power to fix allrates and charges for water, light, gas, heat and all other utilities provided by plants owned by the city, but such rates and charges shall be just and reasonable. The rates shall be sufficient to pay alloperating costs of the respective utility and all bonds and interest constituting a charge against such utility when the same mature; and thereafter the rate aforesaid shall remain at a point high enough to accumulate a reserve fund sufficient eventually to reproduce the plant. There shall be paid into such reserve fund each year out of the carnings of such utility a sum equal to the amount of depreciation charged against such utility. Receipts of the utilities shall be paid into the city treasury and placed in a separate fund. The fund so created, or any part thereof, may be invested in any interest bearing securites available for the investment of sinking funds of cities under the laws of 1927, Chapter 131, Section 9, or acts amendatory thereof. "The Council may also prescribe the time and manner in which water, heat, gas, electric current and any other utility product supplied by

plants owned or leased by the sity shall be computed or measured, whether by meter of flat rate, and make such other regulations as may be necessary, and may prescribe penalties for the violation of such regulations.

Section 83. Furchase in Bulk. The commission may, in lieu of providing for the local production of gas, electricity, wa ter and other utilities, purchase the same in bulk and resell them to local consumers at such rates as it may fix as reasonable therefor.

Section 84. Gity to Fay for Services. The city council shall include in item in its budget yearly to pay a reasonable charge, based up in the cost of service, for lighting the streets and public buildings and for supplying heat, gas, power or any other utility, and a reasonable hydrant rental and other charges for apphlying the city with water, and shall credit the same to the public owned utility supplying the service. Such rentals and charges for other services hereunder shall be collected in the same manner as from other consumers, unless the council provides some other plan.

Section 85. Lease of Phant. 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 a threefifths vote of the council, which of inance shall be submitted to the logal voters of a regular or special city election and approved by a two-thirds vote of the electors voting thereon at such election. 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 franchise in Chapter 9], of this charter.

Section 86. Sale or abandonment of Publicly owned Utilities. No public utility owned by the city, whether acquired prior to the adoption of this charter or thereafter, shall be sold or abandoned in whole or in part, nor shall any part thereof essential to the operation of such system be sold or abandoned, nor have the operation thereof discontinued by the city unless the full terms of the proposition of said sale or other disposition thereof, toggther with the consideration therefor, shall have been embodied in an ordinance passed by a three-fifths vote of the council in the usual way, and submitted to the electors at a referendum election, and approved by a two-thirds majority vote of the electors voting thereon.



CHAPTER 12.

TAXATION .. ND FIN.. NCE

Section 87. 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 revenues and other assets, the auditing and settlement of accounts, and the safekeeping and disbursement of public monsys, and in the exercise of a sound discretion shall make appropriations for the payment of all liabilities and expenses.

<u>Section 88. Fiscal Year.</u> The fiscal year shall end on the thirtieth dayof November.

Section 89. System of Taxation. Subject to the state constitution and except as forbidden by it or by state legislation, the council shall have full power to provide by ordinance for a system of local taxation and to change the same from time to time. Insofar as the city procures a revenue from taxes on real and personal property as such, it shall conform as fully as possible to the general state law asto the assessment of such property and the collection of such taxes.

Section 90. 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 fourth Monday in June to equalize the assessments according to law.

Section 91. <u>Preparation of the Annual Budget</u>. The council shall direct the preparation of the estimates for the annual budget. The estimates of expenditures shall be arranged for each department or division of the city under the following heads:

- (1) ordinary expenses, (for operation, maintenance, and repairs).
- (2) Capital outlays, (for new construction, equipment, and all improvements of a lasting character).

Ordinary expenses shall be subdivided into:

- (a) salaries, with a list of all salaried offices and positions, with the salary allowance and the number of persons holding each;
- (b) wages,
- (c) printing, advertising, telephone, telegraph, express Charges and other like items.
- (d) supplies and repairs, with sufficient detail to be readily understood.

All increases and decreases shall be chearly shown. In parallel columns shall be added the amounts expended under similar heads for the past two completed fiscal years, and as far as possible, for the current year. In addition to the estimates of expenditures, the estimates shall include a statement of the revenues which have accrued for the past two completed fiscal years, with the amounts collected and the uncollected balances, together with the same information, as far as possible, for the current fiscal year, and an estimate of the revenues for the ensuing fiscal year. The statement of revenues for each year shall specify the following items:

- (a) sums derived from taxation.
- (b) fees,

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- (c) fines,
- (d) interest,
- (e) Miscellaneous, not includédgin the foregoing,

- (f) seles and rentals,
- (g) operation of public utilities

(h) special assessments

for and int

(1) sales of bonds and other obligations.

Such estimates shall be printed or typewritten, and there shall be at least seven copies; one for the mayor, one for the city clerk, one for each member of the council, and one to be posted on an official bulletin board at the city public building. The estimates shall be submitted to the council at its first regular meeting in August. r. The council may require with the estimates such explanatory statements as it may deem necessary.

The budget shall Section 92. Enforcement of the sudget. be the principal item of business at the regular monthly meeting of the city council in <u>August</u>, and the council shall hold adjourned 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 headd, and an opportunity to ask such questions as may be pertinent to them. The budget estimates shall be read in full, and the city clerk shall explain the various items thereof as fully as may be deemed necessary by the council. The annual budget finally agreed upon shall be a resolution setting forth the financial program 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 The total sum appropriated shall be less than in Section. 91. the total estimated revenue by a safe margin. The council shall

adopt the budget resolution not later than the 1st day of October in any year.

Section 93. Enforcement of Budget. It shall be the duty of the council to enforce strictly the provisions of the budget. It shall not approve any order up in the city treasurer for any extenditure unless an 'appropriation has been made in the budget, nor for any expenditure covered by the budget unless there is a sufficient unexpended balande remaining to pay the same 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 orders 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 94. Alterations in the Bud et. After the budget shall have been duly adopted, the council shall not have power to increase the amounts therein fided, 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 hemed therein and no other. The council may at any time, by a resolution passed by a three-fifths vote, reduce salaries or the sum appropriated for any other pur-

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poses, or authorize the transfer or loan of sums from unexpended balances, to other funds for other purposes; all such loans, however, to be credited to the fund from which it is loaned, and debited against the fund to which the loan is made.

Section 95. Levy and Collection of Taxes. On or before the first day of October each year the council shall levy by resolution the taxes necessary to meet the requirements of the budget for the ensuing fiscal year. The aggregate of such taxes in any one year shall not exceed three per cent of the assessed valuation. The clerk shall transmit to the county auditor annually, not later than the 10th day of October, a statement of the taxes levied, and such taxes shall be collected and the payment thereof 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 the fund to which such tax belongs.

Section 96. Tax Settlement with County Treasurer. It shall be the cuty of the city treasurer to see that moneys belonging to the city of Granite Falls coming into the county treasury are promptly turned over to the city according to law.

Section 97. Disbursements, How Made. All disbursements shall be made only upon the order of the mayor and the city clerk, duly authorized by the council, and every such order shall specify the purpose for which such disbursements is made, and indicate that it is to be paid out of the proper fund. Each such order shall be directed to the treasurer, and the latter shall issue a check payable to the order of the person in whose favor

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Order was drawn. The treasurer shall issue no chook upon any city funds except upon such order. But no such order or check shall be issued until there is menoy to the credit of the fund out of which it is to be raid, sufficient to pay the same, together with all then outstanding anombrances mon such fund. Any order for the payment of money violating any provisions of this section shall be void, and any officer of the city violating any provision of this section shall be perconally responsible for the anount of such payment, if any such peymont is made contrary to the provisions hereof. No contract requiring the payment of mancy by the city chell be valid unless the particular fund out dd which the same is to be paid is specified in such contract. No claim against the city shall be allowed unless accompanied by a vorified itemized bill and vouchor, payroll or time sheet signed by the responsible officer who has personal mouledge of the lasts in the case and vouches for the correctness and reacousbleness of the elein. The couldl may by ordinance make further regulations for the pafe-kooping and disburuement of the city's funds.

Section 98. Paulo to be liept. There shall be maintained in the city treasury the following funds for the support of which the council may levy taxes:

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(a) A Bond and Interest 2004 for the purpose of paying when due any bonds or debt of the city and to pay the interest on all other bonds and other obligations of the city. The council shell levy an enual tax sufficient to meet all obligations against this fund when due, unless otherwise provided for.

(b) A Public Utility Fund or funds for the acquisition.

construction, maintenance and operation of anypublic utility owned or operated by the city, including the payment of the interest on any bonds or other indebtedness which may be a lien upon such utility. There shall be paid into this fund all moneys derived from the sale of bonds issued on account of any atility, and from the operation of such utility, and from the sale of any property acquuired for or used in connection with any such utility. There shall be paid out of this fund the cost of the purchase, construction, extension, operation, maintenance and repair of such utility. Any surplus in said fund may be used for the purchase of bonds or certificates of indebtedness issued against said utility, and for the payment of such bonds or other indebtedness upon their maturity; and from such surplus transfers shall be made to the Bond and Interest Fund of such amounts as may be necessary to pay bonds or interest on bonds which may be liens upon said utility. Separate funds and accounts shall be kept for each utility operated separately, and in case two or more utilities are operated together, the funds and accounts shall be kept sonarate as far as practicable.

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(c) A Fublic Utility Reserve Fund, created out of payments annually made in accordance with Section 82 of this charter, of amounts equal to the sum chargeable against each utility as depreciation; such payments being made out of the earnings of such utility.

(d) A general fund for the support of library, park, band end such other funds as the council may deem proper, and for the payment of the expenses of the city. Into this fund shall be paid all moneys not herein provided to be paid into any other fund.

(e) A permanent improvement revolving fund, which shell not be supported by general taxation. There shall be paid into this fund moneys received from special assessments levied for local improvements which, in its judgment, shall be extended for payment, as provided in Chapter 10 of this charter. The councid may order the issuance and sale of bonds or certificates of indebtedness representing such accregate sum, which shall entitle the holder thereof to demand and receive from the city of Granite Kalls. upon the surrender of such bonds or cartificates to the treasurer, on or after the date of payment thereof, the amount of money named therein to be paid, with the rate of interest stipulated to be paid thereon to the due date thereof, and not after such date. Such bonds may be issued in such amounts and become due on such dates as the councid may determine; subject to the provisions of Section 102 of this charter: and such certificates of indebtedness may be issued in such amounts and become due on such dates us the council may determine, but shall not be issued to run for a longer temm than ten years. The proceeds of the sale of said bonds or certificates of indebtedness shall be paid into the permanent improvement revolving fund. The council may, in its discretion, either sell said bonds or certificates of indebtedness direct to investors, or may contract for the sale of all such bonds and certificates to be issued during any calendar year. No sale of bonds or certificates of indebtodness shall be made except after advortising for bids, at least one week prior to the sale, and such sales

chall be made to the highest responsible bidder. Bids may be asked on the basis of a rate of interest specified in the proposals, and on the net interest basis on which the bidder will pay par for the same.

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Section 99. Receipts to go to Uity Greasurer. All receipts of money belonging to the city, or any branch thereof, excepting only those funds collected by the county treasurer, shall be paid in to the city treasurer by the person authorized to receive the same, not later than three days after such receipt. All such moneys, and also all moneys received upon tax judgments from the county treasurer, shall be deposited as soon as refeived in a bank or banks approved by the city council. Said bank or banks shall first furnish good and sufficient security acceptable to the city council.

Section 100. Accounts and Reports. The city clerk 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 this chartor, the law, and the ordinances in accord with it. He shall submit to the council each month a statement showing the abount of money in the custody of the city treasurer, the status of all funds, the amount spent or chargeable opainst each of the annual budget allowances and the balances left in each, and such other i formation relative to the finances of the city as the council may require. Once each year, on or before the lat day of January, the clerk shall submit a report to the council covering the entire financial operation of the city for the past year. This report shall show the actual total receipts, and the getual total expenditures, omitting duplications, and stating the cash balances at the beginning of the fiscal year and at the close; the total outlays for operation and maintenance and the total capital outlays; the condition of each of the funds; the total receipts by sources, and the total expenditures for general purposes; the total outstanding bonds and debts of the city, when due, the amount of new bonds issued, and the amount redeemed, the interest rate of each, the condition of all the annual budget allowances, and an inventory of all the property owned by the city; and such further information as the council and other city officials and taxpayers should have.

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Section 101 Bonded Debt and Debt Limit. In addition to all the powers inrespect to borrowing, and with reference to the issuance of bonds and certificates of indebtedness granted by this charter, and any amendments thereto, the city of Granite Falls shall have all the powers in reference to these subject matters authorized for cities of the same class by Chapter 10 of Mason's Minnesota Statutes, 1927, and acts amendatory thereto. The city shall also have the power, any provisions of the charter to the contrary notwithstanding, 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. No bonds shall ever be issued to pay current expenses or to refund certificates of indebtedness issued to provide for temporary deficiencies in the revenues to cover current expenses; but bonds may be issued by a three-fifths vote of the councill approved by a maniority of the electors of the city voting thereon at a general or special election, for the purchase or real estate, for new construction, new equipment, or any improvement of

a lasting character, including public utilities. The total bonded debt of the city shall never exceed ten per cent of the lest assessed valuation of the taxable property therein, excluding moneys and credits. In computing the total bonded debt, certificates of indebtconess or bonds issued before or after the adoption of this charter shell not be included or counted if (a) held in a sinking fund maintained by the city; or (b) issued for the acquisition, equipment, purchase, construction, maintenance, extension, enlargement or improvement of street railways, telegraph or telephone lines, water, lighting, gas, heat and power plants, or eigher, or any other public convenience from which a revenue is or may be derived, owned and operated by such city, or the acquisition of property needed in connection therewith, or for the construction of public drainage ditches or the acquisition of lands for, or for the improvement of streets, parks, or other public improvements, to the extent that they are payable from the proceeds of assessments levied upon property especially benefited by such ditches or improvements; of (c) issued for the creation or Meintenance of a permanent improvement revolving fund, of (d) for the purpose of anticipating the collection of general taxes for the year in which issued.

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Section 102. Form and Repayment of Bonds. All bonds issued by the city shall be in regular numbered series. As nearly as practicable, an equal amount of each series shall fall due each year. No bonds shall be issued to run for a longer term than 75% of the reasonable life expectancy of the property or improvement for c ascertained and which the bonds are authorized, as/set forth in the ordinance authorizing such bonds, and in no case shall bonds be issued to run for more than twenty years. The surpose for which bonds are authorized shall be set forth in the ordinance authorizing them and the proceeds from such bonds shall not be diverted to any other purpose. It shall be the duty of the city council to include in its budget each year a sum or sums 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 outstanding.

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Section 103. Emergency Debt Certificates. If in any year the receipts from taxes or other sources shall from some unforeseen cause become insufficient for the ordinary expenses set forth in the budget of the city, 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 by the city treasurer of emergency debt certificates to run not to exceed one year and to bear interest at not to exceed six per cent per annum. A tax sufficient to redeem all such certificates at maturity shall be levied as part of the budget of the following year, provided that the total amount of certificates issued in any one year shall not exceed the sum of 97,000, and that such amount, plus all other items of the budget to be adopted the following year shall not exceed three per cent of the assessed valuation as stated in Section The authorization of an issue of such emergency debt certificates 95. shall take the form of

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an ordinance passed by a three-fifths vote of the members of the council; the ordinance may, if deemed necessary, be passed as an emergency ordinance.

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Section 104. <u>Bonds outside the Debt Limit.</u> The council may, by an affirmative vote of all members, issue bonds for legal purposes outside of the debt limit, subject to the following limitations as to the total amount which may be outstanding at any time: (a) for the creation and maintenance of a permanent revolving fund, not to exceed fifteen thousand dollars; (b) for extending, enlarging, or improving water, lighting, heat and power plants, or either, or other revenue producing public utilities of whatever nature, owned and operated by the city, or of acquiring property needed in connection therewith, not to exceed fifteen thousand dollars; (c) for public improvements payable from special assessments, without limit as to amount, except the amount of such special assessments previously levied.

Bonds in excess of the amounts herein specified shall be issued only when authorized by a majority vote of the electors voting thereon at a regular or special election.

CHAPTER 13.

MICELLANEOUS PROV SIGNS

Section 105. Official Jublications. The council shall regulate by ordinance the manner in which official publicity shall be given to the holding of elections, to ordinances, resolutions, initiative, referendum, and recall petitions, to requests for bids upon contemplated purchases and contracts, and to all other matters whatsoever which require publication either by the terms of this charter or by the laws of the State of Minnesota. It shall annually designate a newspaper of general circulation in the city asthe official paper in which shall be published such measures and metters as are by the laws of this state required to be so published, and such other matters as the council may deem it wise to have published, in this manner. The council may in its discretion provide for the publication of the annual budget, ordinances, resolutions, initiative, referendum and recall petitions, election notices, and such other measures and matters as it may deem wise by the posting of typpwritten, mimsographed or printed copies thereof upon bulletin boards located in public places in the city, at such places and for such periods as the council may direct in each case.

Section 106. Gaths of Office. Every officer of the city, appointive or elective, shall, before entering upon the duties of his office, take and subscribe an oath of office and file the same in the office of the clerk. The oath of the city clerk shall be filed with the mayor. Failure of any elective officer to file his oath within fifteen days arter his election shall make such elec-

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tion void and of no effect. Upon conviction of any elective officer of a felony or misdemeanor or a malfeavance or misfeasance amounting to a violation of his oath of office, such office shall be ipso facto vacant.

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Section 107. City Officers Not to Accept Pavors. No officer or employee of the city shall solicit or receive any pay, commission, money, or thing of value, or derive any benefit, profit, or advantage, directly or indirectly, from, or by reason of, any improvement, alteration or repair required by authority of the city, or any contract to thish the olty shall be a party, except his lowful compensation or salary as such officer or emplayee, unless such officer or employee, or the firm or corporation in which such officer or employee is interested, shall be the lowest bidder, or one of the lowest, in which case the council may by unanimous vote accept the same, but such contract or bid shall be in writing and shall state explicitly the rolation and interest of such official or employee in such firm or corporation, and shall be included in full in the official proceedings of the council; and no such officer or employee shall be interested, directly or indirectly, in any contract job for work or materials, or the profits thereof, or services to be furnished or performed for any person, firm or corporation, operating a public utility within the territorial limits of the city. No officer or employee of the city, except as otherwise provided in this charter by law, shall a licit, accept or receive, directly or indirectly, from any public municipal utility corporation, or the owner of any public municipal 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 effender from continuing in office or in the employment of the city, and he shall be removed there from. Any contract with the city in which any officer or employee of the city is, or becomes, directly or indirectly interested, except as above provided, personally, or as a member of a firm, or as an officer or director of a corporation, shall be void; and any money which shall have been paid on such contract by the city may be recovered from any or all the persons interested therein by joint or several action.

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Section 108. Official Bonds. The city treasurer, city clerk, and such other officers of the city as may be provided for by ordinance, each shall before entering upon the duties of their respective offices, give bond to the city with a legal, authorized surety company as surety in such sums as may be fixed by the council as an additional security for the faithful performance of their respective duties and the safekeeping of the public funds. all bonds shall be approved ty the city attorney as to form and by the city council as to sufficiency, and shall be endorsed by at least three members of the council as having been so approved. They shall be filed with the city clerk, except the bond of the city clerk, which shall be filed with the mayor, and the premium on such surety bonds shall be paid by the city.

Section 109. Violation of Penal Ordinances. The municipal judges in and for the city of Granite Falls shall be vested with the powers of municipal judges under the statutes of the State of Minnesota, and shall have jurisdiction within and throughout the Counties of Yellow Medicine and Chippewa. The style of all process issued by the Municipal Judges of said city shall be: "State of Minnesota, Counties of Yellow Medicine and Chippewa, City of Granite They shall take judicial notice of all ordinances duly Falls." enacted by the city and shall enforce the penalties of all penal ordinances within the limits of their jurisdiction. In their discretion, municipal judges may sentence violators of penal ordinances to hard labor. In enforci g all penal ordinances, the municipal judge shall have power to issue all writs, warrants and orders within the authority of any municipal judge .ithin the state.

The trial before the municipal court of the city shall be summary for all cases arising under this charter, or under the ordinances, resolutions or by-laws of the city enacted pursuant thereto.

Section 110. City Property not Lost by Adverse Possession. No right, title, estate or easement of the city or any property shall be lost by adverse possession or occupancy, and no statute of limitations shall operate against the city in favor of any person occupying any public property or highway, whether such property shall have been improved or not.

Section 110 Sades of Real Property. No real property of the city shall be disposed of except by ordinance or resolution. 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 of 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 a four-fifths vote designate some other public use for such proceeds.

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Section 112. Vecation of Streets. No street or alley within the city shall be discontinued except by a three-fifths vote of the council. The city clerk shall thereafter certify a copy of such ordinance to the office of the Megiste. of Deeds of the County and it shall be recorded therein.

Section 113. Nersero Buits. No action shall be maintained against the city on account of any derect in any street, road, bridge, sidewalk, public utility or other public place, or by reason of the megligence of its officers, agents, or sorvants, unless such street is achually opened, used and traveled by the public as a street or highway, nor unless the person claiming to have sustained such injury or loss, or his lawful representative, shall within thirty days, or if the alleged injury shall have resulted in death or insenity of the person injured, then within sixty days, after the heppening of such injury or loss, present his claim for compensation, damages or other relief on account thereof to the council in writing; stating the time when, the place where, and the amount of compensation or the nature of the relief demanded from the city; and give said council ten days' time after such claim is pres ntcd within which to decide upon the course it will pursue with relation to such claim; nor shall any such action be maintained unless the same shall be commenced within one year after the happening of such alleged injury or loss.

Section 114. Notice of Defects. In the prosecution of actions against the city for personal injuries growing out of the defective or improperly constructed highways, bridges, culverts, streets, alleys, sidewalks or public utilities, it shall be necessary in order to maintain said action for the plaintiff to allege and prove that the defect or want of repair complained of existed for more than ten days immediately prior to the time of the happen@ ing of said injury, or that the city had actual notice and knowledge of such defect or want of repair at the time such injury happened.

Section 115. Liabilities for Gausing Defects in Streets. ...ll persons who shall cause or maintain any obstruction, encavation or defect in any street, alley, bridle, sidewalk, thoroughfare or public ground of said city by means of which a claim for damage shall arise against the city, shall be liable for such damage to whomspever shall be entitled to recover the same from said city; and no action for such damages shall be brought or maintained against the city unless such person or persons shall be joined as defendants; and in case of judgment against the defendants in such action, execution shall issue only against the defendants causing such defects, and the city shall not be required to take steps to pay such judgment until such execution shall be returned unsatisfied; and if the city shall pay such judgment it shall become the owner thereof, and may enforce payment of the same from the other defendants, and shall be entitled to execution thereon against them, and to take such other proceedings as judgment creditors are entitled to take.

Then any party is joined with the city as co-defendent in any action for the insufficiency of any street, alley, bridge, eidewalk, thoroughfare or public ground, and any suchparty is not a resident of and cannot be found within the state, service of surmons in said oction may be made upon said defendant in the manner prescribed by the general laws for service by publication in other actions.

Section 116. Recovery of Judgment for Demages. 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 any such judgment from the person or corporatio so responsible for such obstruction, excavation, opening or defect, and such person or in corporation is hereby declared to be liable to the city/the amount of such damages.

Section 117. City to Succeed to Rights and Oblightions of Former City. The city shall succeed to all the property, rights and privileges, and shall be subject to all the legal obligations of the city under the former charter. Section 113. Present Officers to Hold Office. The present officers of the city shall continue in their respective offices and functions, and shall govern the city in the usual manner until the expiration of their terms. They shall make such provisions for the fiscal year as near as possible to the budget plan contemplated under this charter as will serve to carry on the government until a government has been set up under this charter, and shall make provision for the election of the first city council as provided in Chapters 2 and 5 of this charter.

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Section 119. Statutes not Affected by Charter. All general laws and statutes of the state applicable to cities of the same class as the city of Granite Falls, operating under home rule charters, and not inconsistent with the provisions of this charter, shall apply to the city of Granite Falls and shall be construct as supplementary to the provisions of this charter.

Section 120. Existing Ordinances Continued. All ordinances and regulations of the city in force when this charter takes effect, and not inconsistent with the provisions hereof, are hereby continued in full force and effect until amended or repealed.

Section 121. Pending Condemnations and Assessments. Any condemnation or assessment proceeding in progress when this charter takes effect shall be collected and the lien thereof enforced in the same manner as if this charter had not been adopted.

Section 122. Ordinances to Make Charter Effective. The city council is hereby empowered to, and shall by ordinance make such regulations as may be necessary to carry cut and make effective the provisions of this charter.

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Section 123. Powers of Police Officers. The chief of police and other police officers appointed by the city council as provided for in this charter shall have all the powers conferred by law upon constables, and shall have the power to serve and execute any warrant, summons or other process issued out of any Municipal Court of said City, and to pursue and arrest any person fleeing from justice in any part of the state, and when performing the duties of constable as aforesaid shall be entitled to the fees prescribed by statute.

