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#9393

CHAPTER I. PREAMBLE

Section 1. That the people of the City of Litchfield do hereby...

CHAPTER II. FORM OF GOVERNMENT

Section 1. The City of Litchfield shall be a city...

CHAPTER III. OFFICERS AND EMPLOYEES

Section 1. The City of Litchfield shall have a Mayor...

CHAPTER IV. FINANCE

Section 1. The City of Litchfield shall have the power...

CHAPTER V. PUBLIC UTILITIES

Section 1. The City of Litchfield shall have the power...

CHAPTER VI. PUBLIC HEALTH

Section 1. The City of Litchfield shall have the power...

CHAPTER VII. PUBLIC SAFETY

Section 1. The City of Litchfield shall have the power...

CHAPTER VIII. PUBLIC EDUCATION

Section 1. The City of Litchfield shall have the power...

CHAPTER IX. PUBLIC WELFARE

Section 1. The City of Litchfield shall have the power...

CHAPTER X. PUBLIC UTILITIES

Section 1. The City of Litchfield shall have the power...

CHAPTER XI. PUBLIC HEALTH

Section 1. The City of Litchfield shall have the power...

CHAPTER XII. PUBLIC SAFETY

Section 1. The City of Litchfield shall have the power...

CHAPTER XIII. PUBLIC EDUCATION

Section 1. The City of Litchfield shall have the power...

CHAPTER XIV. PUBLIC WELFARE

Section 1. The City of Litchfield shall have the power...

CHAPTER XV. PUBLIC UTILITIES

Section 1. The City of Litchfield shall have the power...

CHAPTER XVI. PUBLIC HEALTH

Section 1. The City of Litchfield shall have the power...

Proposed Home Rule Charter for the Incorporation of the Village of Litchfield as a City of the Fourth Class

TABLE OF CONTENTS

- 1. Name, Boundaries, Powers, and General Provisions.
2. Form of Government.
3. Officers and Employees.
4. Finance.
5. Public Utilities.
6. Public Health.
7. Public Safety.
8. Public Education.
9. Public Welfare.
10. Public Utilities.
11. Public Health.
12. Public Safety.
13. Public Education.
14. Public Welfare.

CHAPTER I. NAME, BOUNDARIES, POWERS, AND GENERAL PROVISIONS

Section 1. The name of the City shall be Litchfield, Minnesota.

Section 2. The boundaries of the City shall be as follows...

Section 3. The City shall have all the powers and authority...

Section 4. The City shall have the power to acquire...

Section 5. The City shall have the power to incur...

Section 6. The City shall have the power to contract...

Section 7. The City shall have the power to sue and be sued...

Section 8. The City shall have the power to hold...

Section 9. The City shall have the power to acquire...

Section 10. The City shall have the power to incur...

Section 11. The City shall have the power to contract...

Section 12. The City shall have the power to sue and be sued...

Section 13. The City shall have the power to hold...

Section 14. The City shall have the power to acquire...

Section 15. The City shall have the power to incur...

Section 16. The City shall have the power to contract...

Section 17. The City shall have the power to sue and be sued...

Section 18. The City shall have the power to hold...

Section 19. The City shall have the power to acquire...

Section 20. The City shall have the power to incur...

Section 21. The City shall have the power to contract...

Section 22. The City shall have the power to sue and be sued...

Section 23. The City shall have the power to hold...

Section 24. The City shall have the power to acquire...

Section 25. The City shall have the power to incur...

Section 26. The City shall have the power to contract...

Section 27. The City shall have the power to sue and be sued...

Section 28. The City shall have the power to hold...

Section 29. The City shall have the power to acquire...

Section 30. The City shall have the power to incur...

CHAPTER II. FORM OF GOVERNMENT

Section 1. The City of Litchfield shall be a city...

Section 2. The City shall have a Mayor and a Board of Aldermen...

Section 3. The Mayor shall be elected for a term of two years...

Section 4. The Board of Aldermen shall be elected for a term of two years...

Section 5. The Mayor and Board of Aldermen shall have the power...

Section 6. The Mayor and Board of Aldermen shall have the power...

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Section 15. The Mayor and Board of Aldermen shall have the power...

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Section 17. The Mayor and Board of Aldermen shall have the power...

Section 18. The Mayor and Board of Aldermen shall have the power...

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Section 25. The Mayor and Board of Aldermen shall have the power...

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Section 27. The Mayor and Board of Aldermen shall have the power...

Section 28. The Mayor and Board of Aldermen shall have the power...

Section 29. The Mayor and Board of Aldermen shall have the power...

Section 30. The Mayor and Board of Aldermen shall have the power...

Section 31. The Mayor and Board of Aldermen shall have the power...

Section 32. The Mayor and Board of Aldermen shall have the power...

Section 33. The Mayor and Board of Aldermen shall have the power...

Section 34. The Mayor and Board of Aldermen shall have the power...

Section 35. The Mayor and Board of Aldermen shall have the power...

Section 36. The Mayor and Board of Aldermen shall have the power...

Section 37. The Mayor and Board of Aldermen shall have the power...

Section 38. The Mayor and Board of Aldermen shall have the power...

Section 39. The Mayor and Board of Aldermen shall have the power...

Section 40. The Mayor and Board of Aldermen shall have the power...

Section 41. The Mayor and Board of Aldermen shall have the power...

Section 42. The Mayor and Board of Aldermen shall have the power...

Section 43. The Mayor and Board of Aldermen shall have the power...

Section 44. The Mayor and Board of Aldermen shall have the power...

Section 45. The Mayor and Board of Aldermen shall have the power...

Section 46. The Mayor and Board of Aldermen shall have the power...

Section 47. The Mayor and Board of Aldermen shall have the power...

Section 48. The Mayor and Board of Aldermen shall have the power...

Section 49. The Mayor and Board of Aldermen shall have the power...

Section 50. The Mayor and Board of Aldermen shall have the power...

Section 51. The Mayor and Board of Aldermen shall have the power...

Section 52. The Mayor and Board of Aldermen shall have the power...

Section 53. The Mayor and Board of Aldermen shall have the power...

Section 54. The Mayor and Board of Aldermen shall have the power...

Section 55. The Mayor and Board of Aldermen shall have the power...

Section 56. The Mayor and Board of Aldermen shall have the power...

Section 57. The Mayor and Board of Aldermen shall have the power...

Section 58. The Mayor and Board of Aldermen shall have the power...

Section 59. The Mayor and Board of Aldermen shall have the power...

Section 60. The Mayor and Board of Aldermen shall have the power...

Section 61. The Mayor and Board of Aldermen shall have the power...

Section 62. The Mayor and Board of Aldermen shall have the power...

Section 63. The Mayor and Board of Aldermen shall have the power...

Section 64. The Mayor and Board of Aldermen shall have the power...

Section 65. The Mayor and Board of Aldermen shall have the power...

Section 66. The Mayor and Board of Aldermen shall have the power...

Section 67. The Mayor and Board of Aldermen shall have the power...

Section 68. The Mayor and Board of Aldermen shall have the power...

STATE OF MINNESOTA

COUNTY OF LITCHFIELD

CITY OF LITCHFIELD

PROPOSED HOME RULE CHARTER

CHAPTER I. PREAMBLE

Section 1. That the people of the City of Litchfield do hereby...

Section 2. The boundaries of the City shall be as follows...

Section 3. The City shall have all the powers and authority...

Section 4. The City shall have the power to acquire...

Section 5. The City shall have the power to incur...

Section 6. The City shall have the power to contract...

Section 7. The City shall have the power to sue and be sued...

Section 8. The City shall have the power to hold...

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CHARTER

CITY OF LITCHFIELD

MEEKER COUNTY
MINNESOTA

1943

STATE OF MINNESOTA
DEPARTMENT OF STATE

FILED

AUG 16 1943

Mark Holm
Secretary of State.

CHARTER
OF THE
CITY OF LITCHFIELD
MINNESOTA

Home Rule Charter Adopted
Monday, June 28, 1943



BY ORDER OF THE CITY COUNCIL OF
THE CITY OF LITCHFIELD

1943

CERTIFICATION OF COMMISSION

We, the undersigned, being duly qualified and acting members of the Board of Freeholders (Charter Commission) in and for the Village of Litchfield, Meeker County, Minnesota, appointed by the Honorable G. E. Qvale and the Honorable Harold Baker, Judges of the District Court of the Twelfth Judicial District on the 24th day of January, 1942, do hereby certify that the attached document, consisting of twelve chapters and one hundred fifteen sections, is the draft of a proposed charter prepared and framed by said Board of Freeholders, and hereby affix our signatures to said draft in testimony of our approval thereof, and deliver the same to the Honorable H. A. Plate, Mayor of said Village of Litchfield, as the chief magistrate or executive thereof, for action pursuant to law.

Dated at Litchfield, Minnesota this 13th day of May, 1943.

SAM G. GANDRUD, Chairman
 ELEANOR ROBERTSON, Secretary
 A. F. HOEL
 PHIL J. PALM
 C. E. SILVERBERG
 Wm. S. MCGEE
 L. L. BAUMGARTNER

KARL A. DANIELSON
 C. W. WAGNER
 D. N. THARALSON
 W. E. MACKLIN, Jr.
 A. E. HAWKINSON
 EDNA WHITAKER
 MAGDALEN PAYNE

CERTIFICATE OF ADOPTION OF HOME RULE CHARTER

State of Minnesota }
 County of Meeker } SS.

I, H. A. Plate, Mayor of the Village of Litchfield and as such the chief magistrate of said Village do hereby certify that the charter attached and made a part of this certificate, is a true and correct copy of the charter returned and filed with the Village by the duly appointed and qualified board of freeholders of said Village.

I further certify that said charter was duly submitted to the voters of the Village of Litchfield at a special election held in said Village on the 28th day of June, 1943, and was duly adopted by a vote of 285 for the charter and 150 against the charter, the total vote cast in said Village of Litchfield at said election being 444.

Witness my hand and the corporate seal of the Village of Litchfield this 6th day of July, 1943.

H. A. PLATE
 Mayor of the Village
 of Litchfield, Minn.

Attest:

R. W. SWANSON
 Village Recorder
 (Seal)

TABLE OF CONTENTS

- Chapter 1. Name, Boundaries, Powers, and General Provisions.
 2. Form of Government.
 3. Procedure of Council.
 4. Nominations and Elections.
 5. Initiative, Referendum, and Recall.
 6. Administration of City Affairs.
 7. Taxation and Finance.
 8. Public Improvements and Special Assessments.
 9. Eminent Domain.
 10. Franchises.
 11. Public Ownership and Operation of Utilities.
 12. Miscellaneous and Transitory Provisions.

HOME RULE CHARTER

CHAPTER 1

Name, Boundaries, Powers, and General Provisions

Section 100. Name and boundaries. Upon the taking effect of this charter the Village of Litchfield in the County of Meeker and State of Minnesota, shall become a city under the name and style of the City of Litchfield, and shall continue to be a municipal corporation with the same boundaries as now are or hereafter may be established, such boundaries now being as follows:

All that territory embraced in the following descriptions and boundaries, to-wit: The east half (E½) of section eleven (11), the east half of the northwest quarter (E½ of NW¼) of section eleven (11), the east half of the southwest quarter (E½ of SW¼) of section eleven (11), the west half (W½) of section twelve (12), the west half (W½) of section thirteen (13), the northeast quarter (NE¼) of section fourteen (14), the east half of the northwest quarter (E½ of NW¼) of section fourteen (14), the northeast quarter of the southeast quarter (NE¼ of SE¼) of section fourteen (14), Government lots one (1), two (2), and three (3), of section fourteen (14), Government lot one (1) of section twenty-three ((23), and all of that part of the meandered lake known as "Lake Ripley" which is included within the meandered lake shore lines of sections fourteen (14), fifteen (15), twenty-two (22) and twenty-three (23), and a straight line connecting the easterly extremities of said shore lines, together with a strip of land twenty (20) feet in width around the entire meandered lake shore lines of said section fourteen (14), fifteen (15), twenty-two (22) and twenty-three (23), all in township one hundred nineteen (119), range thirty-one (31), in Meeker County, Minnesota.

Sec. 101. Powers of the city. The City of Litchfield may sue and be sued; it shall have and use a corporate seal and may alter its seal at pleasure; it shall be capable of contracting and being contracted with; it may take by purchase, condemnation or otherwise, and

hold, lease, sell and convey all such real and personal property as its purpose may require, or the transaction of its business may render convenient, within or without the limits of the city; it may acquire, construct, own, lease, and operate public utilities, and render public service of every kind; it may grant franchises or licenses for the construction, operation and maintenance of public utilities in, over, upon, and under the streets and public places in the city, and shall have power to fix and regulate the fares, tolls, or charges which may be collected, order the extensions which shall be made, and regulate the services which shall be rendered by any owner or operator of a public utility franchise or license; may assess, levy, and collect taxes, for general or special purposes, on all subjects or objects which the city may lawfully tax; it may borrow money on the faith and credit of the city or on a public utility or other property owned by the city, by the issuance and sale of bonds or certificates of indebtedness; it may appropriate the money of the city for all lawful purposes; it may provide for, construct, regulate, and maintain public works and local improvements; it may levy and collect assessments for local improvements; it may license and regulate persons, corporations and associations engaged in any business occupation, trade or profession; it may define, prohibit, abate, suppress, all things detrimental to the health, morals, comfort, safety, convenience and welfare of the inhabitants of the city, and all nuisances and causes thereof; it may regulate the construction, height and materials used in all buildings, and the maintenance and occupancy thereof; it may regulate and control the use for whatever purposes of the streets and other public places; it may make and enforce local police, sanitary, and other regulations; it may pass ordinances for maintaining and promoting the peace, good government and welfare of the city, and for the performance of all the functions thereof; it shall have all the powers possessed by municipal corporations at common law; it shall have, retain and may exercise all powers, functions, rights, and privileges heretofore possessed by it; it may exercise such powers beyond its corporate limits as may be necessary for the effective exercise of any powers granted herein as now authorized by law; and in addition thereto, the City of Litchfield shall have and exercise all powers, functions, rights, and privileges exercised by, or which are incidental to, or inherent in, municipal corporations and are not denied to it by the constitution or general laws of the State of Minnesota. In addition to the powers herein and hereafter granted, the City of Litchfield shall have full power to deal with all matters of municipal concern and have complete self-government in harmony with and subject to the constitution and laws of the State of Minnesota.

Sec. 102. Construction of this charter. 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. The specific mention of particular municipal powers in other sections of this charter shall not be construed as limiting the powers of the city in the premises to those thus mentioned.

Sec. 103. 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.

Sec. 104. Wards. The City of Litchfield shall be divided into three wards with such boundaries as may be fixed by ordinance adopted by the council.

CHAPTER 2 Form of Government

Sec. 200. Form of Government. The form of government established by this charter shall be known as the "Mayor-Council Plan." All discretionary powers of the city, both legislative and executive, shall vest in and be exercised by the City Council, subject to the initiative, referendum, and recall powers of the people. It shall have complete control over the city administration, either directly or through its appointed officers and heads of departments, except as delegated exclusively to the city clerk in section 603 of this charter or to the mayor in section 205 of this charter.

Sec. 201. Boards. The council shall by ordinance create a board of health of three members, who shall be appointed by the mayor, with the approval of the council, for a term of one year. One member of the board shall be a physician duly licensed to practice medicine within the State of Minnesota, of good standing in his profession, and who shall have been in active practice for at least three years. Such physician shall be chairman of the board of health and shall be styled "health officer". The members of the said board shall be residents and electors of the city at the time of their appointment and during their respective terms of office. This board may be compensated for its services if the council so directs. The members of the board of health shall have the same authority as police officers in enforcing the ordinances of said city for the security of public health. The members of the board of health shall have and exercise all the authority and powers, and shall perform all the duties granted to or imposed upon local boards of health by the statutes of the State of Minnesota insofar as the same are applicable to the City of Litchfield, and they shall enforce all rules and ordinances of this city relating to public health.

The council shall by ordinance create a library board of nine members who shall be appointed by the mayor, with the approval of the

council, for a term of three years, provided that the present members of the library board shall continue to serve until the expiration of the term for which they were appointed. The members of the said board shall be residents and electors of the city at the time of their appointment and during their respective terms of office. Members of the said board shall receive no compensation as such. The members of the library board shall have and exercise all the authority and powers, and shall perform all the duties, granted to or imposed upon library boards by the statutes of the State of Minnesota insofar as the same are applicable to the City of Litchfield.

The council shall itself be, and perform the duties and exercise the powers of all other boards or commissions. It may, however, appoint temporary commissions with advisory powers to investigate any subject of interest to the municipality, and also a commission to prepare any city plan subject to the approval of the council. Such a commission may be given the power to administer oaths, and to compel the attendance of witnesses, and the production of books, papers, and other documentary evidence.

Sec. 202. Elective Officers. The elective officers of the city shall be a mayor, two councilmen from each ward, an assessor, an attorney, two justices of the peace, and a constable, all of whom shall be qualified electors and shall be elected in the manner hereinafter provided. The six councilmen shall serve for a term of two years and until their successors are elected and qualified, except that at the first election held after the adoption of this charter the candidate in each ward having the highest number of votes shall serve for two years and the candidate in each ward receiving the next highest number of votes shall serve for one year. The mayor, attorney and constable shall serve for a term of one year, and until their successors are elected and qualified. The assessor and justices of the peace shall serve for a term of two years, and until their successors are elected and qualified. The terms of all elective officers shall begin on the first secular day of January following the date of the Municipal election at which such officers were elected.

Sec. 203. The City Clerk. A city clerk shall be appointed by the city council for an indefinite term and he shall be removable by the council at any time. He shall receive such compensation as may be fixed by the council.

Sec. 204. Incompatible offices. Neither the mayor nor any member of the council shall be appointed to hold any paid municipal office or employment under the city; and until one year after the expiration of his term as mayor or councilman no former mayor or councilman shall be appointed to any paid office or employment under the city which office or employment was created or the emolument of which were increased during his term of office.

Sec. 205. Vacancies in elective offices. A vacancy in any elective office shall be deemed to exist in case of the failure of any person elected thereto to qualify on or before the date of the second regular meeting of the new council, or by reason of the death, resignation, removal from office, removal from the city, continuous absence from the city for more than three months, or conviction of a felony of any such person whether before or after his qualification, or by reason of the failure of any councilman without good cause to perform any of the duties of membership in the council for a period of three months. In each such case the council shall by resolution declare such vacancy to exist and shall forthwith appoint an eligible person to fill the same until the next regular municipal election, when the office shall be filled for the unexpired term; provided that any vacancy resulting from a recall election or from a resignation following the filing of a recall petition and any vacancy in the office of mayor shall be filled in the manner provided in such case.

Sec. 206. The Mayor. The mayor shall be the presiding officer of the council, except that a president pro tempore shall be chosen who shall serve as president in the mayor's absence, and as acting mayor in case of the mayor's disability or absence from the city. The mayor shall be the chief executive officer of the city, and shall exercise all powers and perform all 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 processes, and by the governor for the purposes of the martial law. He shall study the operations of the city government and shall report to the council any neglect, dereliction of duty, or waste on the part of any officer or department of the city. In time of public danger or emergency he may, with the consent of the council, take command of the police, maintain order and enforce the law. In the event of a vacancy in the office of mayor, whether by death, resignation, or any other cause, the council shall order a special election to fill the vacancy for the unexpired term, but in the case of a recall the vacancy shall be filled in the manner provided by this charter.

In addition the powers and duties of the mayor shall be:

(a) To see that this charter and the laws, ordinances, and resolutions of the city are enforced;

(b) To appoint, with the approval of the council, the chief of police and all other police officers of the city and the members of the board of health and library board, as provided in section 201 herein;

(c) To veto any ordinance or resolution adopted by the council subject to the power of the council to pass any ordinance or resolution over the mayor's veto as provided in section 306 herein.

The mayor shall not be a voting member of the council except in case of a tie vote.

Sec. 207. Justices of the Peace. The justices of the peace shall possess the same powers and authority and shall perform the same duties and shall receive such compensation as is now, or may hereafter be, provided by the general laws of this state.

Sec. 208. Assessor. The assessor shall possess the same powers and authority and shall perform the same duties as are now, or may hereafter be provided by the general laws of this state.

Sec. 209. City Attorney. The city attorney shall be a person who has been admitted to practice in the courts of this state and who is a legal resident of the City of Litchfield. He shall be the legal advisor of and the attorney for the city and all departments, commissions and officers thereof in relation to their official powers and duties. He shall attend all meetings of the council, give advice to the council or any authorized boards, commissions and officers, prosecute or defend, as the case may be, all suits to which the city may be a party, prosecute for all offenses against the ordinances of the city and for such offenses against the laws of the state as may be required of him by law as legal advisor of the municipality, draw all contracts, bonds and other instruments to which the city is a party, draw all ordinances and resolutions and shall perform such other duties of a legal nature as the council may from time to time require.

Sec. 210. Constable. The constable shall possess the same powers and authority and shall perform the same duties and shall receive such compensation as is now, or may hereafter be, provided by the general laws of this state.

Sec. 211.—Salaries. The mayor and members of the council shall receive five dollars a meeting for the regular meetings but not to exceed sixty dollars a year. When meeting as a board of equalization they shall each receive not to exceed one dollar per hour of actual service. All subordinate officers and employees of the city, other than the justices of the peace, shall receive such salaries or wages as may be fixed by the council.

Sec. 212. 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 investigations into the city's affairs, to subpoena witnesses, administer oaths, and compel the production of books and papers. The council may at any time provide for an examination or audit of the accounts of any officer or department of the city government. The accounts of the city shall be audited by the state public examiner or a certified public accountant at least once a year.

CHAPTER 3 Procedure of the Council

Sec. 300. Council meetings.

On the first secular day of January after 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, or any three members of the council, may call special meetings of the council upon at least twelve (12) hours notice to each member of the council. Such notice shall be delivered personally to each member or shall be left with some responsible person at the member's usual place of residence. If all members be present at any special meeting, the above notice requirements shall be waived. All meetings of the council shall be public, and any citizen shall have access to the minutes and records thereof at all reasonable times.

Sec. 301. Rules of procedure and quorum. The council shall determine its own rules and order of business, and shall keep a journal of its proceedings. A majority of all 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 a means by which a minority may compel the attendance of absent members.

Sec. 302. Ordinances, resolutions, and motions. All legislation shall be by ordinance, but licenses may be granted, property acquired for public use, authority for executing contracts, conveyances and other written instruments given, and local improvements ordered, by resolution. Every final vote upon 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 four members shall be required for the passage of all ordinances, resolutions, and motions, except as otherwise provided in this charter. Any administrative rule or regulation of any department of the State of Minnesota affecting the city, or any statute of the State of Minnesota, or any published code, specifications or regulations prepared by an official or unofficial organization for general circulation and use may be adopted and incorporated by reference thereto in an ordinance by marking three copies thereof as "official copies" and filing them for reference and inspection in the office of the city clerk and the publication requirements of this charter shall be as fully satisfied in such cases by this method as if set forth in the ordinance in full.

Sec. 303. Procedure on ordinances. The enacting clause of all ordinances passed by the council shall be in the words, "The City of

Litchfield does ordain". Every ordinance shall be presented in writing. Every ordinance, other than emergency ordinances, shall have two readings in full, and at least three days shall elapse between the first and second readings thereof.

Sec. 304. Emergency ordinances and resolutions. 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 both preamble and ordinance or resolution agreed to by at least five members of the council, as recorded by ayes and noes. An emergency ordinance or resolution must be in writing but may be enacted without previous filing or reading. No grant of any franchise shall be construed to be an emergency ordinance.

Sec. 305. Procedure on resolutions. Every resolution shall be presented in writing, and read in full before a vote is taken thereon, unless the reading of a resolution is dispensed with by unanimous consent.

Sec. 306. Signing and publication of ordinances and resolutions. Every ordinance or resolution passed by the council shall be signed by the mayor, if he approves thereof, and attested by the city clerk, and shall be filed with the city clerk within two days after passage, and by him recorded and preserved. Every ordinance and resolution shall be published at least once in the official paper of the city within fifteen days after its passage by the council, and shall be recorded in a book kept for that purpose, which record shall be attested by the city clerk; provided that the publication of resolutions not involving the expenditure of money may be dispensed with if so ordered by the council.

If the mayor does not approve of any ordinance or resolution, he shall return the same to the council with his objection thereto, by depositing the same with the city clerk who shall present it to the council at its next meeting. Upon the return of any ordinance or resolution by the mayor, the council may reconsider the same, and if upon such reconsideration, the council shall pass the ordinance or resolution by a five-sixths (5-6) vote of all the members of the council, it shall have the same effect as if approved by the mayor. If any ordinance or resolution shall not be returned by the mayor within ten (10) days after the same shall have been presented to him, it shall have the same effect as if approved by him.

Sec. 307. When ordinances and resolutions take effect. Emergency ordinances and resolutions, and ordinances and resolutions making the annual tax levy, determining the annual budget, providing for local improvements and assessments, granting a license, authorizing a conveyance or providing for an election, shall take effect immediately upon their passage. All other ordinances and reso-

lutions enacted by the council shall take effect fifteen (15) days after the date of their passage, or such time, after fifteen days as may be designated therein. Ordinances and resolutions adopted by the electors of the city shall take effect at the time fixed therein, or, if no such time is designated therein, then immediately upon the adoption thereof.

Sec. 308. Amendment and repeal of ordinances and resolutions. No ordinance or resolution or section thereof shall be amended or repealed except by reference to its title and number.

CHAPTER 4 Nominations and Elections

Sec. 400. The regular municipal election. A regular municipal election shall be held on the first Tuesday after the first Monday in December in the year 1943, and annually thereafter at such place or places as the city council may designate. At least fifteen days previous notice shall be given by the city clerk of the time and place of holding such election, and of the officers to be elected, by posting a notice thereof in at least three of the most public places in the city, or by publishing a notice thereof at least once in the official newspaper, or both, as the council may direct, but failure to give such notice shall not invalidate such election.

Sec. 401. Special elections. The council may by resolution order a special election, fix the time of holding the same, and provide all means for holding such special election. The procedure at such election shall conform as nearly as possible to that herein provided for other municipal elections.

Sec. 402. Judges and clerks of election. The council shall at least ten days before each municipal election appoint three qualified voters in each election district to be judges of election therein and may appoint as many qualified electors of the same district to serve as clerks of election, as it may determine. Each ward of the city shall constitute one election district for elections unless otherwise provided by ordinance.

Sec. 403. Nominations. The mode of nomination of all elective officers provided for by this charter shall be by filing or by petition. The name of any elector of the city shall be printed upon the ballot whenever a petition as hereinafter prescribed shall have been filed in his behalf with the city clerk. Such petition shall be signed by at least ten qualified electors. No elector shall sign petitions for more candidates for any office than the number of places to be filled for such office at the election, and should he do so his signature shall be void as to the petition or petitions last filed. All nomination petitions shall be in the hands of the city clerk at least ten days before the election. The name of any elector of the city shall also be

printed upon the ballot whenever he shall, not less than ten days before the election, file his affidavit with the city clerk, stating his residence, that he is a qualified voter in the city, and the office for which he desires to be a candidate. The clerk shall prepare the ballots in a manner to be provided by ordinance.

Sec. 404. Nomination petitions. The signatures to the nomination petition need not all be appended to one paper, but to each separate paper there shall be attached an affidavit of the circulator thereof stating the number of signers of such paper and that each signature appended thereto was made in his presence and is the genuine signature of the person whose name it purports to be. With each signature shall be stated the place of residence of the signer, giving the street and number or other description sufficient to identify the same. The form of the nomination petition shall be substantially as follows:

NOMINATION PETITION

We, the undersigned electors of the City of Litchfield, hereby nominate John Doe, whose residence is _____, for the office of _____, to be voted for at the election to be held on the _____ day of _____, 19____; and we individually certify that we are qualified electors and that we have not signed more nomination petitions of candidates for this office than there are persons to be elected thereto.

Name	Street and number
_____	_____
_____	_____

_____ being duly sworn, deposes and says that he is the circulator of the foregoing petition paper containing _____ signatures, and that the signatures appended thereto were made in his presence and are the signatures of the persons whose names they purport to be.

Signed _____

Subscribed and sworn to before me this _____ day of _____, 19____

(Notary public or other official)

This petition, if found insufficient by the city clerk, shall be returned to Richard Roe, at No. _____ Street.

Sec. 405. Canvass of elections. The council shall meet and canvass the election returns within three days after 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 clerk. This statement shall include: (a) the total number of good ballots cast; (b) the total number of spoiled or defective ballots; (c) the vote for each candidate, with an indication of those who were elected; (d) a true copy of the ballots used; (e) 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.

Sec. 406. 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 Minnesota.

CHAPTER 5

Initiative, Referendum, and Recall

Sec. 500. Powers reserved by the people. The people of Litchfield 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.

Sec. 501. 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 service 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.

Sec. 502. 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.

INITIATIVE

Sec. 503. Initiation of measures. Any five electors may 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 together 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 thereof.

Sec. 504. Form of petition and of 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 petition shall not be complete unless signed by a num-

ber 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

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:

	Name	Address
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____

The undersigned electors, understanding the terms and the nature of the measure hereto attached, petition the council for its adoption, or, in lieu thereof, for its submission to the electors for their approval.

	Name	Address
1.	_____	_____
2.	_____	_____
3.	_____	_____

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

Sec. 505. Filing of petitions and action thereon. All the signature papers shall be filed in the office of the city clerk 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 regular municipal election. If he finds the petition insufficient or irregular, he shall at once notify one or more of the committee of sponsors of that fact, certifying the reasons for his finding. The committee shall then be given thirty days in which to file additional signature papers and to correct the petition in all other particulars. If at the end of that period the 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.

Sec. 506. Action of council on petition. Whenever 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 petitioners, 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 may be a committee of the whole. The committee or council shall thereupon provide for public hearings upon the measure, after the holding of which the measure shall be finally 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 city 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 in form and substance 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 fifteen per cent of the total number of voters voting at the last regular municipal election, then the council shall call a special election upon the measure to be held not less than thirty nor more than forty-five days from the date of such action, or if no action is taken, from the expiration of said sixty-five days, unless a regular election is to occur within three months, in which case it may be submitted at such regular municipal election. 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.

Sec. 507. Initiative ballots. The ballots used when voting upon any such proposed measure shall state the substance thereof, and shall 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. In the event that two initiated ordinances or resolutions are adopted simultaneously, and such ordinances or resolutions contain inconsistent provisions, the ordinance or resolution adopted by the largest majority shall prevail.

Sec. 508. 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.

REFERENDUM

Sec. 509. The referendum. If prior to the date when an ordinance or resolution takes effect a petition signed by qualified electors of the city equal in number to fifteen 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 thereupon be prevented from going into operation. The council shall thereupon reconsider the said measure at its next regular meeting, and either repeal the same, or repeal the sections thereof to which objection has been raised by the petitioners, or by aye 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 therein specified.

Sec. 510. Referendum petitions. The requirements laid down in sections 503 and 504 above as to the formation of committees for the initiation 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:

REFERENDUM PETITION

Proposing the repeal of an ordinance (or resolution, or portion of an ordinance or resolutions, as the case may be) to _____ (stating the purpose of the measure), a copy of which ordinance (or resolution, or portion thereof) is hereto attached. The proposed repeal is sponsored by the following committee of electors:

	Name	Address
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____

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.

	Name	Address
1.	_____	_____
2.	_____	_____
3.	_____	_____

Sec. 511. Referendum ballots. The ballots used in any referendum election shall conform to the rules laid down in section 507 of this charter for initiative ballots.

RECALL

Sec. 512. The recall. 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 and 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 previous to such certification.

Sec. 513. Recall petitions. The petition for the recall of any official shall consist of a certificate identical with that filed with the city clerk together with all the signature papers and affidavits thereunto 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:

RECALL PETITION

Proposing the recall of _____ from his office as _____ which recall is sought for the reasons set forth in the attached certificate. This movement is sponsored by the following committee of electors:

	Name	Address
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____

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.

	Name	Address
1.	_____	_____
2.	_____	_____
3.	_____	_____

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

Sec. 514. Filing of petition. Within thirty days after the filing of the original certificate, the committee shall file the completed petition in the office of the city clerk. The city 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 than 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 grounds upon which the recall is sought. If at the end of that time the city clerk finds the petition 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.

Sec. 515. Recall elections. 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 resolution 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.

Sec. 516. Procedure at recall election. In the published 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.

Sec. 517. Form of recall 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 the ballot at such election shall be as near as may be: "Shall A be recalled?" the name of the officer whose recall is sought being inserted in place of A, 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 A, 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 be thereby removed from office, and in that event the candidate who receives the highest number of votes for his place shall be elected thereto for the remainder of the unexpired term. If the official sought to be recalled shall have resigned within ten days after the receipt by the council of the com-

pleted recall petition, the form of ballot at the election shall be the same, as nearly as may be, as the form in use at a regular municipal election, but in no event shall the officer sought to be recalled be a candidate at said election.

CHAPTER 6 Administration of City Affairs

Sec. 600. Departments of administration. The council shall exercise control over all administrative affairs of the city, either directly or through its appointed officers and heads of departments, except as delegated exclusively to the mayor in section 205 and to the city clerk in section 603 of this charter, subject to the provisions of this charter and any regulations by ordinance consistent therewith. The council may create such departments, committees of the council, divisions, and bureaus for the administration of the city's affairs as may seem necessary for efficient administration, and from time to time may alter the powers and organization of the same.

Sec. 601. Powers and duties of council. The council shall make all necessary rules, regulations and appointments to office as herein required. All employees and subordinate officers shall attend council meetings as they may be required by the council; they shall keep the council fully informed as to the operation and needs of their various departments, and shall perform all other duties required by this charter.

Sec. 602. Powers and duties of the city clerk. The powers and duties of the city clerk shall be:

(a) To keep all the records of the city, not necessarily and specifically appertaining to the other officers thereof;

(b) To attend all meetings of the council and to act as secretary of the council and to keep such records as may be required by this charter or by vote of the council; but the council may at its discretion exclude him from meetings at which his removal is considered;

(c) To receive all moneys payable to the village and from such moneys pay upon presentation all orders drawn by him and countersigned by the mayor and to perform such other duties ordinarily performed by a city treasurer or such duties imposed upon a city treasurer by law;

(d) To keep all the accounts of the city, to receive all claims against the city and to draw orders for moneys payable by the city, as provided in this charter;

(e) To keep the council fully advised as to the financial condition and needs of the city, and to prepare and to submit to the council the annual budget;

(f) To perform such other duties as may be prescribed by this charter or required of him by ordinance or resolutions adopted by the council.

Sec. 603. Subordinate officers. There shall be such other officers as the council may create by ordinance. The council may by ordinance abolish offices which have been created by ordinance, and it may combine the duties of various offices, created by ordinance, as it may see fit.

Sec. 604. Purchases and contracts. All contracts, bonds, and instruments of every kind to which the city shall be a party shall be signed by the mayor on behalf of the city and attested by the city clerk, and shall be executed in the name of the city and authorized by resolution or ordinance duly adopted by the council.

Sec. 605. Contracts, how let. In all cases of work to be done by contract, either municipal or proprietary, or for the purchase of personal property of any kind, where the amount involved is more than five hundred dollars, unless the council shall by an emergency ordinance otherwise provide, the council shall advertise for bids in such manner as may be designated by the council. Contracts of this magnitude 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 deems most advantageous to the city. The council may, however, reject any and all bids. Nothing contained in this section shall prevent the council from contracting by five-sixths vote for the doing of work with patented processes, or from the purchasing of patented appliances by the same majority. Further regulations for the making of bids and the letting of contracts shall be made by ordinance, subject to the provisions of this charter.

CHAPTER 7 Taxation and Finance

Sec. 700. 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 disbursements of public moneys, and in the exercise of a sound discretion shall make appropriations for the payment of all liabilities and expenses. At the first regular meeting following the regular municipal election the council shall designate the depository for all city funds for the fiscal year and shall designate the amount of and approve the collateral for the safekeeping of such funds.

Sec. 701. Fiscal year. The fiscal year of the city shall end each year on the thirty-first day of December.

Sec. 702. 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 upon real and personal property as such, it shall conform as fully as possible to the general state law as to the assessment of such property and the collection of such taxes.

Sec. 703. Limit of tax levy. The total amount of taxes levied in any year for all general and special purposes whatsoever, exclusive of taxes levied for special assessments for local improvements upon property specially benefited thereby, shall be as provided by the general statutes of the State of Minnesota.

Sec. 704. 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 last Monday in June to equalize the assessments according to law.

Sec. 705. Preparation of the annual budget. The city clerk shall prepare 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); and (2) capital outlays (for new construction, new 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 clearly shown. In parallel columns shall be added the amounts granted and the amounts expended under similar heads for the past two completed fiscal years, the current fiscal year to date and an estimate of the total current fiscal 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: sums derived from (a) taxation, (b) fees, (c) fines, (d) interest, (e) miscellaneous, not included in the foregoing, (f) sales and rentals, (g) operation of public utilities, (h) special assessments, and (i) sales of bonds and other obligations. Such estimates shall be printed or typewritten, and there shall be at least twelve copies, one for each member of the council, one for the mayor, one for the city clerk, and one at least to be posted in a public place in the city.

The estimates shall be submitted to the council at its regular monthly meeting in August, and shall be made public. The city clerk may submit with the estimates such explanatory statement or statements as he may deem necessary, and during the first three years under this charter he shall be authorized to interpret the requirements of this section as requiring only such comparison of the city's finances with those of the previous government of the Village of Litchfield as may be feasible and pertinent. The council may in its discretion permit elimination from the budget estimates of expenditures of bond issues, utility funds and special assessment funds.

Sec. 706. Passage of the budget. The budget shall be the principal item of business at the regular monthly meeting of the council in September, 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 heard, and an opportunity to ask such questions as may seem 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 in detail the complete financial project of the city for the ensuing fiscal year. It shall indicate the sums to be raised and from what sources, and the sums to be spent and for what purposes, according to the plan indicated in section 705. The total sum appropriated shall be less than the total estimated revenue by a safe margin. The council shall adopt the budget resolution not later than the first day in October.

Sec. 707. Enforcement of the budget. It shall be the duty of the council to adhere strictly to the provisions of the budget. It shall not approve or authorize any expenditure unless an appropriation has been made in the budget. No officer or employee of the city shall place any orders or make any purchase except for the purposes and to the amounts authorized in the budget.

Sec. 708. Alterations in the budget. After the budget shall have been duly adopted, the council shall not have power to increase the amounts therein fixed, whether by the insertion of new items or otherwise, beyond the estimated revenues, unless the actual receipts shall exceed such estimates, and in that event not beyond such actual receipts. But the council shall have no authority to reduce the amounts appropriated in the budget for the payment of principal or interest on bonds, certificates of indebtedness, or outstanding warrants of the city, or the provisions made in the budget for any sinking fund.

Subject to the foregoing provisions and except as herein before provided, the council may at any time by resolution, adopted by a five-sixths vote, change or alter the amount appropriated for any

purpose or object in the budget, whether in the same or any other fund, and authorize appropriate transfer in the budget accounts to effect the same; and may by the vote authorize the transfer of an unexpended and unincumbered balance for any lawful purpose or object.

Sec. 709. Levy and collection of taxes. On or before the first 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 city clerk shall transmit to the county auditor annually, not later than the tenth of October, a statement of all the taxes levied, and such taxes shall be collected and the payment thereof be enforced with and in like manner as state and county taxes. No tax shall be invalid by reason of any informality in the manner of levying the same, nor because the amount levied shall exceed the amount required to be raised for the special purposes for which the same is levied, but in that case the surplus shall go into the fund to which such tax belongs.

Sec. 710. Tax settlement with county treasurer. The city clerk shall see to it that all moneys in the county treasury belonging to the city are promptly turned over to the city according to law.

Sec. 711. Disbursements. How made. All disbursements shall be made only upon the order of the mayor and city clerk, duly authorized by a motion of the council, and every such motion and order shall specify the purpose for which the disbursement is made, and indicate that it is to be paid out of the proper fund; provided however, that disbursements for interest and other fixed charges, and salaries and wages of regular employees may be made when due without a motion of the council. Each such order when duly signed by the mayor and clerk shall become operative as a check. If, upon presentation for payment, any such order is not paid for want of funds, such order shall not become operative as a check but the clerk shall endorse thereon "not paid for want of funds" together with the date of presentation, and such order shall thereupon draw interest from said date until paid at a rate not to exceed six per cent per annum. Any order or motion for the payment of money violating any provision of this section shall be void, and any officer of the city violating any provision of this section shall be personally responsible for the amount of such payment, if any such payment is made contrary to the provisions hereof. No contract requiring the payment of money by the city shall be valid unless the particular fund out of which the same is to be paid is specified in such contract. The council may by ordinance make further regulations for the safekeeping and disbursement of the city's funds.

Sec. 712. Funds to be kept. There shall be maintained in the city treasury the following funds for the support of which the council may levy taxes:

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

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

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

(d) A special assessment fund, which shall be used to finance local improvements that are to be paid for, in whole or in part, from special assessments against benefited property. There shall be paid into this fund: (1) collections of special assessments, with interest, levied against benefited property; (2) proceeds of bonds or certificates of indebtedness sold by the city in anticipation of assessment collections; and the proceeds of inter-fund loans; (3) amounts from other city funds representing either (a) apportionments of costs against the city at large, (b) benefit assessments against city property, or (c) appropriations to maintain the integrity of the fund. There shall be paid out of this fund: (1) all expenses and costs of the improvement projects that are financed through the fund; (2) the redemption of all special assessment fund bonds and certificates of indebtedness, with interest, at or before maturity; and any inter-fund loans; (3) transfers to the general fund of any unencumbered surplus of the fund, in the discretion of the council; and (4) abatements of assessments and refunds of receipts in error. The council shall maintain the integrity of this fund by appropriations from tax funds if necessary, and in addition may create and maintain in the fund a cash reserve of \$15,000.00 for working capital purposes. In order to anticipate the collection of special assessments the council may by a majority vote issue and sell bonds and certificates of indebtedness, pledging the full faith and credit of the city or pledging only special assessments, in such amounts and maturities as it may determine, regardless of the provisions of sections 715; provided that the aggregate amount of such bonds and certificates outstanding at any time shall not exceed the sum of the following:

(1) all assessments levied and uncollected; (2) assessable cost of work in progress, and (3) \$15,000.00 cash reserve for working capital. The total sum of such bonds and certificates so issued by the council shall never exceed five per cent of the last assessed valuation of the city, including money and credits; but in computing the total sum of such bonds and certificates, unpaid bonds and certificates, including refunding bonds and certificates, issued for such purposes prior to the adoption of this charter shall not be included. In order that the fund may be administered on a self-sustaining basis, all improvement projects financed through it shall upon completion be certified by the city clerk as to total cost, which shall thereupon be apportioned by the council either as assessments against benefited property or as amounts due from other city funds. Amounts apportioned against other city funds shall be due not later than the dates of adoption of the corresponding assessment rolls, shall be charged interest as in the case of assessments and shall be paid into the fund, with any interest due, not later than one year after the due dates.

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

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

(f) A working capital or revolving fund, for financing self-sustaining activities not accounted for through other funds;

(g) A trust and agency fund, for the care and disbursement of money received and held by the city as trustee or custodian or in the capacity of an agent for individuals or other governmental units;

(h) Such other funds as may be required by statute or ordinance; In lieu of establishing any of the three foregoing types of funds, the council may provide for the recording of operations or activities for which the use of such funds might be suitable through the maintenance of separate accounts in any appropriate fund already established.

Sec. 713. Receipts to go to city clerk. 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 clerk by the person authorized to receive the same before the close

of each succeeding business day. All such moneys, and also all moneys received upon tax settlements from the county treasurer, shall be deposited as soon as received in a bank or banks designated by the city council. Any person in the employ of the city guilty of a violation of this provision shall be liable to be reduced in rank and salary or to be dismissed from his office or position, as the council may determine after a hearing.

Sec. 714. 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 the law, this charter, and the ordinances in accord with it. He shall submit to the council a statement each month showing the amount of money in his custody, the status of all funds, the amount spent or chargeable against each of the annual budget allowances and the balances left in each, and such other information relative to the finances of the city, as the council may require. Once each year, on or before the first day of February, the city clerk shall submit a report to the council covering the entire financial operations of the city for the past year. This report shall show the actual total receipts and actual total expenditures, omitting duplications, and stating the cash balance at the beginning of the last 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, and 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 the taxpayers should have.

Sec. 715. Bonded debt and debt limit. The bonded debt of the city of Litchfield shall not exceed such limits as now are or hereinafter may be provided by the general statutes of the State of Minnesota. 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. All bond issues, except utility revenue certificates provided in section 719 of this charter, must first be approved by a majority vote of those lawfully voting on said proposition at any general or special municipal election.

Sec. 716. Form and repayment of bonds. All bonds issued by the city shall be in regular number series. As nearly as practicable, but not beyond a ratio of $2\frac{1}{2}$ to 1, an equal amount of each series shall fall due each year. No bonds shall be issued to run for a longer term than seventy-five per cent of the reasonable life expectancy

of the property or improvement for which the bonds are authorized, as ascertained and set forth in the ordinance authorizing said bonds, and in no case shall bonds be issued to run for more than twenty years. The purposes 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 clerk to include in his estimates each year a sum or sums amply sufficient to pay the principal of, and the interest on, any bonds which are to fall due in the coming fiscal year, and another sum sufficient to pay the interest for the same year on the bonds which will be still outstanding. It shall be the duty of the council, enforceable by mandamus upon the suit of any bondholder or taxpayer, to include such sum or sums as may be necessary for this purpose in the annual budget which it passes.

Sec. 717. Emergency debt certificates. If in any year the receipts from taxes or other sources should from some unforeseen cause become insufficient for the ordinary expenses of the city, or if any calamity or other public emergency should subject the city to the necessity of making extraordinary expenditures, then the council may authorize the sale by the city clerk of emergency debt certificates to run not to exceed five years and to bear interest at a rate not to exceed six per cent per annum. The authorization of any issue of such emergency debt certificates shall take the form of an ordinance approved by five-sixths of the members of the council; the ordinance may, if deemed necessary, be passed as an emergency ordinance.

Sec. 718. Bonds outside of the debt limit. In addition to the powers of the council to issue bonds and certificates of indebtedness otherwise authorized by this charter, the council may, subject to the referendum powers of the voters, issue bonds for legal purposes outside of the bonded debt limit for construction, extending, enlarging or improving water and lighting and 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.

Sec. 719. Public utility revenue certificates. Subject to the referendum powers of the people, the city council may by resolution provide for the issuance and sale of public utility revenue certificates payable solely from the Public Utility Fund of the city in such amount as may be deemed necessary and expedient by the council for the establishment, acquisition or construction of any public utility or for the improvement, enlargement, extension, repair or reconstruction of any existing public utility of the city. Such public utility revenue certificates shall bear such date, mature at such time or times not exceeding thirty years, bear such rate or rates of interest not exceeding six per cent per annum, and be sold at such

times and under such terms as the council may deem for the interests of the city. They shall be payable solely from the utility fund and the city shall be expressly relieved by the ordinance thereof to levy, collect, use or apply any moneys received or derived from taxation for the payment of either principal or interest on such certificates except for the payment of charges for services rendered or benefits received by the city. Any resolution authorizing the issuance of certificates under this section may contain such covenants which will be binding on the city as the council may deem advisable to assist in the sale of such certificates. Any ordinance authorizing the issuance of any such certificates may be amended as to any of its provisions by subsequent resolution or ordinance adopted prior to the actual delivery of the certificates authorized.

of the provisions of Chapter 21B of Mason's 1927 Minnesota Constitution, and acts amendatory or supplemental thereto, relating to the sale of stocks, bonds and other securities, shall be applicable to the certificates issued pursuant to this section. The validity of such certificates shall not be dependent on or affected by the validity or regularity of any proceedings relating to the project in which the certificates are issued. The resolution authorizing the issuance of such certificates may provide that the certificates shall contain a recital that they are issued pursuant to this section, which recital shall constitute conclusive evidence of the validity and regularity of their issuance. Such certificates shall not be included in determining the indebtedness of the city under this charter or applicable law.

The council shall have the power to issue refunding revenue certificates to refund any such public utility revenue certificates previously issued when the funds on hand in the public utility fund are insufficient to meet any maturing public utility revenue certificates or to refund any such certificates at their optional maturity dates where such certificates are when issued made optional and payable at some time prior to their maturity date. The issuance of such refunding certificates shall be authorized by a resolution of the council and shall constitute the same lien or charge on the public utility fund as did the certificates refunded.

CHAPTER 8

Public improvements and special assessments

Sec. 800. The city plan. The city council shall, with the assistance of a city engineer or an advisory city planning commission, if either or both are appointed by the city council, and such other service that it may deem necessary, prepare and adopt by ordinance a complete plan for the physical development of the city. Such plan may be altered from time to time in the same manner. The plan shall include provisions for zoning to regulate the location, size, use and height of buildings, the arrangement of buildings on lots, and the density of

population in the city and may make varied regulations for the 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, playgrounds, bridges, transportation lines and other public facilities and for the laying out, grading, and improving the streets, streams and public places, as well as for all other matters which may seem essential to such plan.

Sec. 801. Enforcement of the city plan. The city council shall have all necessary power to compel complete adherence by all persons to the plan adopted and all officers are charged with the duty of reporting to the city council all departures from the city plan which come to their attention.

Sec. 802. Power to make improvements and levy assessments. The City of Litchfield shall have the power to make any and every type of public improvement not forbidden by the laws of this state, and to levy special assessments for all such as are of a local character. The amounts assessed to benefited property to pay for local improvements may equal the cost of the improvement with interest until paid, but shall in no case exceed the value of the benefits received by such property.

Sec. 803. Local improvements regulations. After this charter takes effect local improvements shall continue for the time being to be made as far as possible according to the charter provisions and laws previously applicable thereto. As soon as possible, however, the council shall prepare and adopt a complete ordinance covering every type of public improvement, and when this ordinance takes effect it shall supplant other provisions of law or charter upon the same subject. It may be amended from time to time as other ordinances. It shall classify public improvements into three groups, as follows: first, those which shall be constructed or provided entirely from the general revenues of the city; second, those which shall be constructed or provided partly from general revenues and partly from special assessments; and third, those which shall be constructed or provided entirely by special assessments. The second class may be further subdivided. The ordinance shall provide a complete working code, covering petitions of resident property owners, the determination of assessments and assessment districts, public hearings, appeals from assessments and the trial thereof, reassessments, the spreading of the assessments over a period of not to exceed ten years, the collection of assessments along with other taxes or otherwise, penalties for delinquency in making payments, and all other matters appropriate to the subject of local improvements and assessments. After the passage of such ordinance, all resolutions providing for public improvements shall conform to the

Sec. 804. Public works; how performed. Public works including regulations laid down in such ordinance.

all local improvements, maybe constructed, extended, repaired and maintained either by contract, by any agency of the state or federal government providing work on a relief basis and in lieu of direct relief, or when authorized by the council, directly by a city department in conformity with plans, specifications and estimates. Before receiving bids the city clerk shall, under the direction of the council, have suitable plans and specifications prepared for the proposed material or project and the estimate of the cost thereof in detail. The award of any contract amounting to more than ten thousand dollars shall require a five-sixths 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 provide it with suitable equipment. The right is reserved to the city council, upon the recommendation of an engineer to perform any work to be let by contract through its construction department. 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 to the city. The council shall reserve the right to reject any or all bids. Detailed proceedings governing the advertisement for bids and the execution of the contract shall be prescribed by ordinance. The city shall require contractors to furnish proper bonds for the protection of the city, the employees and material men.

CHAPTER 9

Eminent domain

Sec. 900. Power to acquire property. The City of Litchfield is hereby empowered to acquire, by purchase, gift, devise, or condemnation, any property, corporeal or incorporeal, either within or without its corporate boundaries, which may be needed by said city for any public use or purpose. 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 other public utility. 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.

Sec. 901. Proceedings in taking property. The necessity for the taking of any property by the city shall be determined by the council and shall be declared by a resolution which shall describe such property as nearly as may be and state the use to which it is to be devoted. 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 charter.

Sec. 902. Payment of award. Whenever an award of damages shall be confirmed in any proceeding for the taking of property under this charter, or whenever the court shall render final judgment in any appeal from any such award, and the time for abandoning such proceedings by the city shall have expired, the city shall be bound to, and shall, within sixty days of such final determination, pay the amount of the award with interest thereon at the rate of 6 per cent per annum, from the date of the confirmation of the award or judgment of the court, as the case may be; and if not so paid, judgment therefor may be had against the city.

Sec. 903. City may abandon proceedings. The city may, by resolution of the council at any stage of the condemnation proceedings, or at any time within thirty days after 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.

Sec. 904. 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 any of the proceedings of the council, to describe or treat separately the different kinds of property composing such system, but all of the property, lands, articles, franchises, and rights which enter into and go to make up such system may, unless otherwise ordered by the court, be treated together as constituting one property and an award for the whole property in one lump sum may be made by the commissioners on condemnation or other body assessing the damages. But this shall not prevent the city, in cases where the plant and property is separable into distinct parts, from taking only such part or parts thereof as may be necessary in the public interest.

CHAPTER 10

Franchises

Sec. 1000. Franchises defined. The word "franchise" as used in this charter shall be construed to mean any special privilege granted to any person, copartnership, 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 it or by the State of Minnesota; or shall hereafter be granted by the city or by the State of Minnesota.

Sec. 1001. Franchise ordinances. The council may grant franchises by ordinance adopted by a five-sixths vote, but in no case shall a franchise be granted by an emergency ordinance. Franchise rights shall always be subject to the superior right of the public to the use of streets and public places. All corporations, copartnerships, or persons

desiring to make an especially burdensome use of the streets or public places, inconsistent with the public's right in such places, or desiring the privilege of placing in, over upon, or under any street or public place any permanent or semi-permanent fixtures for the purpose of constructing or operating street or other railways, or for telephoning, or telegraphing, or transmitting electricity, or transporting by pneumatic tubes, or for furnishing to the city or its inhabitants or any portion thereof transportation facilities, water, light, heat, power, or any other public utility, or for any other purpose, shall be required to obtain a franchise before proceeding to make such use of the streets or public places or before proceeding to place such fixtures in such places.

Sec. 1002. Publication of franchises. Every ordinance granting or extending any franchise shall contain all the terms and conditions of the franchise. A franchise shall be without any validity whatever until it has been accepted by the grantee, and until it has been given adequate publicity, by the publication of the franchise verbatim in the official paper of the city at least once a week for two successive weeks after its passage. Nothing herein contained shall be construed as in any way preventing the electors from exercising their powers under the referendum to reject such franchise.

Sec. 1003. Term of franchises limited. No perpetual franchise shall ever be granted, nor shall any franchise be granted for a longer term than twenty-five years.

Sec. 1004. Power of regulation reserved. 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 Minnesota, or shall hereafter be granted by the city or by the State of Minnesota.

Sec. 1005. Regulation of rates and charges. All corporations, co-partnerships, and persons exercising franchises in the city shall give courteous, efficient, and adequate service at reasonable rates. A reasonable rate shall be construed to be one which will, with efficient management, normally yield, above all operating expenses and depreciation, a fair return upon all money honestly and efficiently invested in the plant and equipment used by the company in the public service within the city. This shall not be construed as a guarantee of a return and in no case shall there be any return upon franchise value. Within 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 between the company and the council at public 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 an expert 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 majority vote shall be the legal rate, subject to revision by any court of competent jurisdiction. Schedules 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. The city and the company, may by mutual agreement, revise existing schedules of rates at any time, proceeding in each case as provided for the original fixing of the rates.

Sec. 1006. Arbitration of labor disputes. If any controversy, dispute, or disagreement shall arise between any public service corporation, co-partnership, or person, operating in the city, and its employees, which, in the opinion of the council interferes, or threatens to interfere with the service to which the city or its inhabitants are entitled the council shall have power to compel the parties involved in the controversy to submit the same to a board of arbitration under such procedure as may be provided by ordinance. The findings of such arbitral authority shall be advisory, unless the parties shall agree in advance to make such findings mandatory.

Sec. 1007. Conditions in every 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 provisions:

(a) That the grantee shall be subject to and will perform on its part all the terms of sections 1000 to 1008 inclusive, as well as all other pertinent provisions of this charter.

(b) That the grantee shall in no case claim or pretend to exercise any power to fix fares, rates and 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 1005 of this charter.

(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 accommodations for the public.

(d) 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 condemnation proceedings brought by the city to acquire the public utility exercising such franchise, any return on account of the franchise or its value.

(e) That no sale or lease of said franchise shall be effective until the assignee or lessee shall have filed in the office of the city clerk an instrument, duly executed, reciting the fact of such sale or lease, accept-

ing the terms of the franchise, and agreeing to perform all the conditions required of the grantee thereunder. The assignee or lessee 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 lessee to discharge all obligations and liabilities imposed 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 wires thereto, or for the laying of tracks in, or of pipes or conduits under the streets or public places, or for the placing in the streets or other public places of any permanent or semi-permanent fixtures whatsoever, shall be subject to the conditions that the council shall have the power to require such alterations therein, or relocation or rerouting thereof, as the council may at any time deem necessary for the safety, health, or convenience of the public, and particularly that it shall have the power to require the removal of the 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 the council and before its submission to a vote of the people in case of a referendum. No such franchise shall be binding upon the city until its acceptance by the grantee. Such 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 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 as provided in chapter 9 of this charter.

The violation by the holder of any franchise of any of the express provisions prescribed by this section shall be a sufficient cause for the forfeiture of the franchise by a resolution of the council.

Sec. 1008. Further provisions of franchises. The enumeration and specification of particular matters which must be included in every franchise or renewal or extension thereof, shall not be construed as impairing the right of the city to insert in any such franchise or renewal or extension thereof such other and further conditions and restrictions as the council may deem proper to protect the city's interests, nor shall anything contained in this charter limit any right or power possessed by the city over existing franchises.

CHAPTER 11

Public ownership and operation of utilities

Sec. 1100. Acquisition and operation of utilities. The city shall have the power to acquire public utilities as provided in chapter 9 of

this charter, either within or without the city limits and to supply the city and sell to its inhabitants and to persons, firms or corporations, inside or outside the city, within the area permitted by law, all products of any public utility operated by the city.

Sec. 1101. Creation of public utilities commission. The council may at any time when in its opinion it deems it advisable, by ordinance establish and create a public utilities commission which shall then have the sole and exclusive management and control of all utilities then or any time thereafter owned or operated by the city and determined to be a public utility by the council. The council may at any time by ordinance abolish any such public utilities commission so created.

Sec. 1102. Rates and finances. The council or the public utilities commission, if one is established, shall have the power to fix all rates and charges for water, light, heat, and all other utilities provided by plants owned by that city, but such rates and charges shall be just and reasonable. In like manner the council, or the public utilities commission, if one is established, may prescribe the time and manner in which payments for all such services shall be made, and the manner in which water, gas, steam and electric current shall be computed or measured, whether by meter or flat rate, and make such other regulations as may be necessary, and may prescribe penalties for violations for such regulations. The council, or the public utilities commission, if one is established, shall audit all utility claims and authorize payment thereof.

Sec. 1103. Purchase in bulk. The council or the public utilities commission, if one is established, may in lieu of providing for the local production of gas, steam, electricity, water, and other utilities, purchase the same in bulk and resell them to local consumers at such rates as it may fix.

Sec. 1104. Public utility. How sold. No public utility owned by the city, whether acquired prior to the adoption of this charter or thereafter, shall be sold or otherwise disposed of by the city, unless the full terms of the proposition of said sale or other disposition thereof, together with the price to be paid therefore, shall have been embodied in any ordinance passed by a five-sixths vote of the council in the usual way, and submitted to the electors at a general or special election and approved by a two-thirds majority vote of the electors voting thereon.

CHAPTER 12

Miscellaneous and transitory provisions

Sec. 1200. Official publications. The council shall regulate by ordinance the manner in which official publicity shall be given to the holding of elections, 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 Minnesota. It shall annually designate a newspaper of general circulation in the city as the official paper in which shall be published such measures and matters as the council may deem it wise to have published in this manner, or in lieu thereof it may establish a municipal publication, which shall then be the official newspaper. 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 typewritten, mimeographed, or printed copies thereof upon at least one bulletin board located in the most public places of the city, and for such period of time as the council may direct in each case. If the latter method of publication is adopted the council may provide that it shall be in lieu of other methods of publication or in addition thereto at its option. Wherever in this charter there is a requirement of the publication of any measure or matter, it shall be understood that the city council may designate the manner of such publication, subject to the options permitted by this section; but nothing herein contained shall be construed as authorizing or as attempting to authorize any violation of the constitution or the statutes of the State of Minnesota in any matter which is of State concern or which is exclusively under State control.

Sec. 1201. Oath of office. Every officer of the city shall, before entering upon the duties of his office, take and subscribe an oath of office in substantially the following form: "I do solemnly swear (or affirm) to support the constitution of the United States and of this state, and to discharge faithfully the duties devolving upon me as (mayor, or councilman, or city attorney, etc.) of this city to the best of my judgment and ability."

Sec. 1202. City officers not to be interested in contracts. No city officer who shall be authorized to sell or lease any property, to make any contract in his official capacity, or to take part in making such sale, lease, or contract, nor any employee of such official shall voluntarily become interested individually in such sale, lease or contract, directly or indirectly; provided however, that the council may designate a bank in which any city officer is interested as a depository for city funds by a five-sixths vote of the council. A violation of this section shall disqualify the offender from continuing in office and he shall be removed therefrom. Any contract with the city in which any such officer is, or becomes, directly or indirectly interested shall be void and any money which shall have been paid on such contract by the city may be recovered from any or all persons interested therein by joint or several action.

Sec. 1203. Official bonds. The city clerk and such other officers of the city as may be provided for by ordinance, shall each before entering upon the duties of their respective offices, give a surety bond to

the city in such sum as may be fixed by the council as an additional security for the faithful performance of their respective official duties and the safekeeping of the public funds. Such bonds shall be approved by the city council and shall be endorsed by at least three members of the council as having been so approved. They shall be filed with the city clerk. The provisions of the laws of the state relating to official bonds, not inconsistent with this charter, shall be complied with. The premiums on such bonds shall be paid by the city.

Sec. 1204. City property not lost by adverse possession. No right, title, estate or easement of the city in 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 highway shall have been improved or not.

Sec. 1205. Sales 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 or other property used for the same public purpose; but if there be no such outstanding indebtedness, then the council may by a resolution adopted by a five-sixths vote designate some other public use for such proceeds.

Sec. 1206. Vacation of streets. On petition of a majority of the owners of land abutting on any street or alley, the council may by resolution vacate the same or any part thereof, if it shall appear for the interest of the public so to do, first giving one week's published and posted notice of a hearing to be had thereon, but such vacation shall not become effective until a certified copy of such resolution shall be filed with the Register of Deeds of the county.

Sec. 1207. Damage suits. No action shall be maintained against the city on account of any injuries or damages to persons or property, unless such action shall be commenced within one year from the occurrence of such injury or damage, nor unless notice shall have been in writing to the city clerk within thirty days of the occurrence of such injury or damage, stating the time when and the specific place where, and the circumstances under which, the same occurred, and that the person injured or damaged will claim damages of the city therefore, and the amount of compensation or other relief demanded.

Sec. 1208. Recovery of judgment for damages. If any judgment shall be recovered in any action against the city for any injury or damage caused by any obstruction, excavation, opening, or defect in any street or alley or public ground caused or occasioned by the act or omission of any person or corporation, the city shall have the right to recover the amount of any such judgment from the person or corpora-

tion so responsible for such obstruction, excavation, opening, or defect; and such person or corporation is hereby declared to be liable to the city in the amount of such damages.

Sec. 1209. City to succeed to rights and obligations of former village. The city shall succeed to all the property, rights, and privileges, and shall be subject to all the legal obligations of the Village of Litchfield, under its former charter.

Sec. 1210. Present officers to hold office till when. The present officers of the Village of Litchfield shall continue in their respective offices and functions and shall continue to govern the city in the usual manner until the first secular day of January, 1944. They shall make such financial and other provisions for the fiscal years of 1943 and 1944 as will serve to carry on the government until a government has been set up under this charter, and they shall make provisions for the election of the first city council as provided for in Chapter 4 of this charter.

Sec. 1211. Statutes not affected by charter. All general laws and statutes of the state applicable to all cities operating under home rule charters, or applicable to cities of the same class as the City of Litchfield operating under home rule charters, and not inconsistent with the provisions of this charter, shall apply to the City of Litchfield, and shall be construed as supplementary to the provisions of this charter.

Sec. 1212. Existing ordinances continued. All ordinances and regulations of the city in force when this charter takes effect, and not inconsistent with the provisions thereof, are hereby continued in full force and effect until amended or repealed.

Sec. 1213. Pending condemnations and assessments. Any condemnation or assessment proceeding in progress when this charter takes effect shall be continued and completed under the laws under which such proceedings were begun. All assessments made by the city prior to the time when this charter takes effect shall be collected and the lien thereof enforced in the same manner as if this charter had not been adopted.

Sec. 1214. Ordinances to make charter effective. The council is hereby empowered to, and it shall by ordinance, make such regulations as may be necessary to carry out and make effective the provisions of this charter.

INDEX

	Section
Accounts and Reports	714
Acquisition of Property	101
Administrative Departments	600
Adverse Possession	1204
Alleys, Vacation of	1206
Appropriations of Money	702
Assessments, Power to Levy	702
Pending	1213
Assessor	202—208
Attorney	202—209
Audit of Accounts	212
Ballots	403
Boards	201
Board of Equalization	704
Bonded Debt Limit	715
Bonds:	
Form and Repayment of	716
Outside Debt Limit	718
Boundaries	100
Budget	705 to 708
Submitted by Clerk	602
Building Regulations	800
Charter a Public Act	103
City Affairs, Administration of	600
Investigation of	212
City Plan	800—801
City Property:	
Not lost by Adverse Possession	1204
Sale of Real Property	1205
City Rights and Obligations	1209
Clerk	203
Powers and Duties	602
Receipts to	714
Constable, Term and Powers	202—210
Contracts, How Let	605
Council:	
Control Finances	700
How Elected and Term	202
Meetings	300
Power and Duties	601
President Pro Tempore	206
Rules and Quorum	301
Salaries	211
Damage Suits	1207
Debt Certificates, Emergency	717
Depository	700
Disbursements, How Made	711

	Section
Elections:	
Regular	400
Special	401
Canvass of	405
Judges and Clerks	402
Procedure at	406
Emergency Ordinances and Resolutions	304
Eminent Domain	900 to 904
Fiscal Year	701
Franchises	1000 to 1008
Funds, To Be Kept	712
Government, Form of	200
Health Board	201
Incompatible Offices	204
Initiative	500 to 508
Judgment for Damages	1208
Justice of the Peace	202—207
Library Board	201
Mayor, Term	202
Acting	206
Powers and Duties	206
Salary	211
Name of City	100
Nomination Petitions	404
Nominations, Elective Officers	403
Oaths of Office	1201
Officers:	
Appointive	203
Elective	202
Filing	403
Not Interested in Contracts	1202
Subordinate	603
Terms of	202
Official Bonds	1203
Official Publications	1200
Ordinances	302
Amendment and Repeal	308
Emergency	304
Existing Ordinances Continued	1212
Franchises	1001
Procedure	303
Signing and Publication	306
To Make Charter Effective	1214
When Effective	307

	Section
Pending Condemnations and Assessments	1213
Police Chief	206
Powers of City	101
President Pro Tempore	206
Publications, Official	1200
Public Improvements, City Plan	800
Power to Make	802
Public Utilities:	
Public Ownership	1100 to 1104
Revenue Certificates	719
Public Works	804
Purchases and Contracts	604
Quorum of Council	301
Recall, The	512 to 517
Referendum, The	509 to 511
Resolutions	302
Amendments and Repeal	308
Emergency	304
Procedure	305
Signing and Publication	306
When Effective	307
Salaries	211
Statutes, Supplementary	1211
Streets, Vacation of	1206
Taxation, System of	702
Tax Levy, Limit of	703
Annual	709
Vacancies in Office	205
Vacation of Streets and Alleys	1206
Veto	206—306
Wards	104

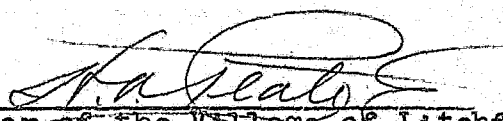
CERTIFICATE OF ADOPTION OF HOME RULE CHARTER

State of Minnesota)
County of Meeker) ss

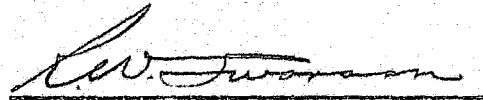
I, H. A. Plate, Mayor of the Village of Litchfield and as such the chief magistrate of said village do hereby certify that the charter hereto attached and made a part of this certificate, is a true and correct copy of the charter returned and filed with the village by the duly appointed and qualified board of freeholders of said village.

I further certify that said charter was duly submitted to the voters of the Village of Litchfield at a special election held in said village on the 28th day of June, 1943, and was duly adopted by a vote of 285 for the charter and 159 against the charter, the total vote cast in said Village of Litchfield at said election being 444.

Witness my hand and the corporate seal of the Village of Litchfield this 6th day of July, 1943.


Mayor of the Village of Litchfield

Attest:


Village Recorder

Official Doc. #9393
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
JUL 24 1943


Secretary of State.