

Home Rule Charter 1974 City of St. Charles, Minn.

The following is a copy of the proposed home rule charter for the City of St. Charles, to be voted on at the General Election, Nov. 5, 1974.

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**HOME RULE CHARTER
CITY OF ST. CHARLES**

CHAPTER 1

**NAME, BOUNDARIES, POWERS
AND GENERAL PROVISIONS**

Sec. 1.01. NAME AND BOUNDARIES. The City of St. Charles in the County of Winona and State of Minnesota, shall, upon the taking effect of this charter,

continue to be a municipal corporation, under the name and style of the City of St. Charles with the same boundaries as now are or hereafter may be established.

Sec. 1.02. POWERS OF THE CITY. The city shall have all powers which it may now or hereafter be possible for a municipal corporation in this state to exercise in harmony with the constitutions of this state and of the United States. It is the intention of this charter that every power which the people of the City of St. Charles might lawfully confer upon themselves, as a municipal corporation, by specific enumeration in this charter shall be deemed to have been so conferred by the provisions of this section. This charter shall be construed liberally in favor of the city, and the specific mention of particular powers in the charter shall not be construed as limiting in any way the generality of the power herein sought to be conferred.

Sec. 1.03. 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.

CHAPTER 2

FORM OF GOVERNMENT

Sec. 2.01. FORM OF GOVERNMENT. The municipal government provided by this charter shall be known as the Mayor-Council plan of government subject only to the limitations imposed by the Constitution or statutes of the State of Minnesota and by this charter. All powers of the city except as otherwise provided in this charter shall be vested in a mayor and elective council, hereinafter referred to as "the council." The council shall exercise the legislative power of the city and determine all matters of policy. The city clerk administrator, (hereinafter called the city clerk) shall be the head of the administrative branch of the city government and shall be responsible to the council for the proper administration of all affairs relating to the city.

Sec. 2.02. BOARDS AND COMMISSIONS. The council may create such departments, divisions, bureaus and boards for the administration of the city's affairs as it may deem necessary for efficient government, and from time to time may alter the power and organization of such departments, divisions, bureaus and boards as the council may create.

Sec. 2.03. ELECTIVE OFFICERS. The elective officers of the city shall be the mayor, four councilmen and the city

treasurer, all of whom must be qualified electors. The mayor shall serve for a term of two years; the councilmen and treasurer shall serve for terms of four years, except as noted herein to adjust councilmen's terms under this charter. All elective officer shall serve until their successors are elected and qualified.

At the first annual election after the adoption of this charter, the mayor, four councilmen and the treasurer shall be elected. The treasurer, and the two councilmen receiving the highest number of votes shall be elected for the full term of four years. The other two councilmen shall be elected for two year terms after which the terms for these positions shall be four years.

The council shall appoint three or more judges of city elections.

Sec. 2.04. INCOMPATIBLE OFFICES. No member of the council nor the city treasurer shall be appointed city clerk or hold any paid municipal office or employment under the city; and until one year after the expiration of his term as mayor or councilman or treasurer, no former elected official shall be appointed to any paid appointive office or employment under the city which office or employment was created or the emoluments of which were increased during his term of office.

Sec. 2.05. VACANCIES IN THE OFFICE OF MAYOR, COUNCIL OR IN THE OFFICE OF TREASURER. A vacancy in the office of mayor, in the council or in the office of treasurer 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 qualifications, or by reason of the failure of the mayor or any councilman or the treasurer without good cause to perform any of the duties of his office for a period of three months. In each such case the council shall be resolution declare such vacancy to exist and shall forthwith appoint an eligible person to fill the vacancy until the next regular municipal election, when the office shall be filled for the unexpired term.

Sec. 2.06 A. DUTIES — THE MAYOR. The mayor shall be the presiding officer of the council, except that the council shall choose from its members a president pro tem who shall hold office at the

pleasure of the council and shall serve as president in the mayor's absence and as mayor in case of the mayor's disability or absence from the city. The mayor shall have a vote as a member of the council. He 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 process, and by the governor for the purposes of 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.

Sec. 2.06 B. DUTIES — THE TREASURER. The treasurer shall be responsible for the completion of a monthly review of bills and receipts of city funds; and, the treasurer shall be responsible for preparation of a general report on the city's receipts and expenditures semi-annually at times set therefore by the council, and he shall perform such other pertinent duties as the council may designate.

Sec. 2.07. SALARIES. The mayor, council, city treasurer, city clerk and all subordinate officers and employees of the city shall receive such salaries or wages as may be fixed by the council or as governed by Minnesota State statutes.

Sec. 2.08. INVESTIGATION OF CITY AFFAIRS. The council or the city clerk or either of them and any officer or officers formally authorized by 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, and it may cause to be made any survey or research study of any subject of municipal concern.

Sec. 2.09. INTERFERENCES WITH ADMINISTRATION. For the purpose of inquiry the council and its members shall deal with the control the administrative service solely through the city clerk, and neither the council nor any member thereof shall give orders to any of the subordinates of the city clerk, either publicly or privately.

CHAPTER 3

PROCEDURES OF COUNCIL

Sec. 3.01. COUNCIL MEETINGS. On the first business day of January following a regular municipal election, the council shall meet at the usual place and time for the holding of council meetings. At this time the newly elected members of the council shall assume their duties. Thereafter, the council shall meet at such times each month as may be prescribed by ordinance or resolution. The mayor or any three members of the council may call special meetings of the council upon at least twelve hours' notice to each member of the council and notice to the legal newspaper within the city. Such notice shall be delivered personally to each member or shall be left at his usual place of residence with some responsible person. All meetings of the council shall be public, and all citizens shall have access to the minutes and records thereof at all reasonable times. When the time factor does not permit a printed notice of an emergency meeting in the official newspaper, then a notice posted in three conspicuous places, to be named by ordinance, for at least twelve hours prior to the meeting time, shall suffice.

Sec. 3.02. SECRETARY OF COUNCIL. The city clerk shall act as secretary of the council. He shall keep a journal of council proceedings and such other records and perform such other duties as may be required by this charter or by the council. The council shall choose such other officers and employees as may be necessary to serve at its meetings.

Sec. 3.03. RULES OF PROCEDURE AND QUORUM. The council shall determine its own rules and order of business. A majority of council members and elected mayor shall constitute a quorum to do business. The council may by ordinance provide a means by which a minority may compel the attendance of absent members.

Sec. 3.04. ORDINANCES, RESOLUTIONS AND MOTIONS. Except as in this charter otherwise provided, all legislation shall be by ordinance. The aye and no vote on ordinances, resolutions and motions shall be recorded unless the vote is unanimous. An affirmative vote of a majority of all members of the council shall be required for the passage of all ordinances and resolutions, except as otherwise provided in the charter.

Sec. 3.05. PROCEDURE ON ORDINANCES. The enacting clause of all

ordinances shall be in the words "the City of St. Charles does ordain." Every ordinance shall be presented in writing. No ordinance except an emergency ordinance shall be passed at the meeting at which it is introduced, and at least three days shall elapse between its introduction and final passage.

Sec. 3.06. EMERGENCY ORDINANCES. An emergency ordinance is an ordinance necessary for the immediate preservation of public peace, health, morals, safety or welfare in which the emergency is defined and declared in a preamble thereto and is adopted by a vote of at least three of the voting members of the council. No prosecution shall be based upon the provisions of any emergency ordinance until twenty-four hours after the ordinance has been filed with the city clerk and posted in three conspicuous places or until the ordinance has been published, unless the person charged with violation and actual notice of the passage of the ordinance prior to the act or omission complained of.

Sec. 3.07. 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. 3.08. SIGNING AND PUBLICATION OF ORDINANCES AND RESOLUTIONS. Every ordinance or resolution passed by the council shall be signed by the mayor or by two other members, attested to by the city clerk and filed and preserved by him. Every ordinance shall be published at least once in the official newspaper. To the extent and in the manner provided by law, an ordinance may incorporate by reference a statute of Minnesota, a state administrative rule or a regulation, a code, or ordinance or part thereof without publishing the material referred to in full.

Sec. 3.09. WHEN ORDINANCES AND RESOLUTIONS TAKE EFFECT. A resolution and an emergency ordinance shall take effect immediately upon its passage or at such later date as is fixed in it. Every other ordinance shall take effect thirty days after publication or at such later date as is fixed therein. Every ordinance and resolution adopted by the voters of the city shall take effect immediately upon its adoption, or at such time as is fixed therein.

Sec. 3.10. AMENDMENT AND REPEAL OF ORDINANCE AND RESOLUTIONS. Every ordinance or resolution re-

pealing a previous ordinance or resolution or section or sub-division thereof shall give the number, if any, and the title of the ordinance or resolution to be repealed in whole or in part. No ordinance or resolution or section or sub-division thereof shall be amended by reference to the title along, but such an amending ordinance or resolution shall set forth in full each section or sub-division to be amended and shall indicate new matter by underscoring and old matter to be omitted by enclosing it in brackets. In newspaper publication the same indications of omitted and new matter shall be used except that italics or bold-faced type may be substituted for underscoring and omitted matter may be printed in capital letters within parentheses.

Sec. 3.11. REVISION AND CODIFICATION OF ORDINANCES. The city shall revise, rearrange and codify its ordinances within the period of one year following adoption of this charter. This shall be done with additions and deletions as may be deemed necessary by the council. Such ordinance code shall be published in book, pamphlet or continuously revised looseleaf form, and copies shall be made available to the public by the council at the office of the city clerk. Publication in such code shall be a sufficient publication of any ordinance provision not previously published if a notice that copies of the codification are available at the office of the city clerk is published in the official newspaper for at least two successive weeks as provided by statute.

CHAPTER 4

NOMINATIONS AND ELECTIONS

Sec. 4.01. THE REGULAR MUNICIPAL ELECTION. A regular municipal election shall be held on the first Tuesday after the first Monday in November of each odd-numbered year commencing in 1975 at such place or places as the city council may designate. The city clerk shall give at least two weeks previous notice of the time and place of holding such election and of the officers to be elected by posting in at least one public place in each voting precinct and by publication at least once in the official newspaper, but failure to give such notice shall not invalidate such election.

Sec. 4.02. SPECIAL ELECTIONS. The council may, by resolution, order a special election and provide all means for holding it. At least two weeks' published notice of a special election shall be given in the official newspaper.

The procedure at such election shall conform as nearly as possible to that prescribed for other municipal elections.

Sec. 4.03. PROCEDURE AT ELECTIONS. All nominations, elections and canvassing of elections shall be conducted as provided in the general laws of the State of Minnesota pertaining to municipal elections.

CHAPTER 5

INITIATIVE, REFERENDUM AND RECALL

Sec. 5.01. POWERS RESERVED BY THE PEOPLE. The people of St. Charles reserve to themselves the power to initiate and adopt ordinances and resolutions, and 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. 5.02. EXPENDITURES BY PETITIONER. 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 any such committee from incurring an expense not to exceed an amount to be set by the council for legal advice, stationery, copying, printing, and notaries' fees. Any violation of the provisions of this section shall constitute a misdemeanor.

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.

Initiative

Sec. 5.04. 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 therefor.

Sec. 5.05. 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 number of voters equal to at least ten per cent of the total number of votes cast at the last preceding regular municipal election. All the signatures need not be on one signature paper, but the circulator of every such paper shall make an affidavit that each signature appended to the paper is the genuine signature of the person whose name it purports to be. Each signature paper shall be in substantially the following form:

Initiative Petition
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. _____	_____
4. _____	_____

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

Sec. 5.06. 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 the 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 the fact. The final finding of the insufficient 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. 5.07. 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 it 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 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, such special election shall be held not less than thirty nor more than forty-five days from such date, 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. 5.08. 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.

Sec. 5.09. 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. 5.10. 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 thereby be prevented from going into operation. The council shall thereupon reconsider the 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 a special 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 go into effect immediately or on the date therein specified.

Sec. 5.11 REFERENDUM PETITIONS. The requirements laid down in the above sections 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, as the case may be) to (stating the purpose of the measure), a copy of which ordinance (or resolution) 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. 5.12. REFERENDUM BALLOTS. The ballots used in any referendum election shall conform as nearly as possible to the rules laid down in Section 5.08 of this charter for initiative ballots.

Recall
Sec. 5.13 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. 5.14. 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 thereto attached. All the signatures need not be on one signature paper, but the circulator of every such paper shall make an affidavit that each signature appended to the paper is the genuine signature of the person whose name it purports to be. Each signature paper shall be in substantially the following form:

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. 5.15. FILING OF PETITIONS. 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 the total 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 for all candidates for the office in question, 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 the effect and shall file the petition in his office. No further action shall be taken thereon.

Sec. 5.16. RECALL ELECTION. If the petition or amended petition be found sufficient, the city clerk shall transmit it to the council without delay and shall also officially notify the person sought to be recalled of the sufficiency of the petition and of the pending action. The council shall at its next meeting, by motion, provide for the holding of a special recall election throughout the city not less than thirty nor more than forty-five days thereafter, provided, however, 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. 5.17. PROCEDURE OF RECALL ELECTION. The clerk shall include with the published notice of the election 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. 5.18. FORM OF RECALL BALLOT. Unless the officer whose removal is sought resigns 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 from the office of _____?", 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. If a majority of those voting on the question of recall vote in favor of recall, such official shall be thereby removed from office, and the candidate who receives the highest number of votes for his place shall be elected thereto for the remainder of the unexpired term. If, however, the officer sought to be recalled resigns within ten days after the receipt by the council of the completed recall petition, the form of the ballot at the election shall be the same, as nearly as may be, as the form in use at a regular municipal election.

CHAPTER 6

ADMINISTRATION OF CITY AFFAIRS

Sec. 6.01. THE COUNCIL. All powers of government of the city shall be vested in the council and exercised by the council subject only to statutory limitations.

Sec. 6.02. THE CITY CLERK ADMINISTRATOR. The city clerk administrator (hereinafter called the "clerk") shall be the chief administrative officer of the city. The clerk shall be chosen by the council on the basis of qualifications alone. The clerk shall be appointed for an indefinite period of time and may be removed by the council at any time; but after a clerk has served in that capacity for one year, the clerk may demand written charges and a public hearing on the charges before the council prior to the date of removal is to take place. After such hearing, if demanded, the council shall have unlimited discretion either to reinstate the clerk or make such removal final. Pending such hearing and action thereon, the council may suspend the clerk from

office and designate some qualified person to perform the duties of the office during the absence or disability of the clerk.

Sec. 6.03. POWERS AND DUTIES OF THE CITY CLERK. Subject to the provisions of this charter and any council regulations consistent therewith, the city clerk shall direct the administration of the city's affairs. He shall have the powers and duties set forth in the following subdivisions:

Subd. 1. He shall see that his charter and the laws, ordinances and resolutions of the city are enforced.

Subd. 2. He shall appoint and remove, upon the basis of merit and fitness and subject to applicable civil service provisions, if any, and subject to majority approval of the council, all heads of departments and all subordinate officers and employees in the departments.

Subd. 3. He shall exercise control over all departments and divisions of the city administration created by this charter or by the council.

Subd. 4. He shall attend all meetings of the council, with the right to take part in the discussion but not to vote; but the council may, in its discretion, exclude him from any meeting at which his removal is considered.

Subd. 5. He shall keep minutes of council meetings and prepare them for publication as provided by ordinance.

Subd. 6. He shall recommend to the council for adoption such measures as he may deem necessary for the welfare of the people and the efficient administration of the city's affairs.

Subd. 7. He shall keep the council fully advised as to the financial condition and needs of the city, and he shall prepare and submit to the council the annual budget.

Subd. 8. He shall prepare and submit to the council for adoption an administrative code incorporating the details of administrative procedure, and from time to time he shall suggest amendments to such code.

Subd. 9. He shall perform such other duties as may be prescribed by this charter or by law or required of him by ordinances or resolutions adopted by the council.

Sec. 6.04. DEPARTMENTS OF ADMINISTRATION. The council may create such departments, divisions and bureaus for the administration of the city's affairs as may seem necessary and from time to time alter their powers and organization. It may, in conjunction with the city clerk, prepare a complete

administrative code for the city and enact it in the form of an ordinance, which may be amended from time to time by ordinance.

Sec. 6.05. KEEPING OF PUBLIC RECORDS. The city clerk shall be subject to the direction of the council and shall have such duties in connection with the keeping of the public records, the custody and disbursement of the public funds, and the general administration of the city's affairs as the council prescribes.

Sec. 6.06. PURCHASES AND CONTRACTS. The city clerk shall be the chief purchasing agent of the city. All city purchases and contracts shall be made or let by the city clerk when the amount of the purchase or contract does not exceed \$1,000. All other purchases shall be made and all other contracts let by the council after the recommendation of the city clerk has first been obtained. All contracts, bonds, and instruments of any kind to which the city is a party shall be signed by the mayor and the city clerk on behalf of the city and shall be executed in the name of the city.

Sec. 6.07. CONTRACTS; HOW LET. In all cases of work to be done by contracts, or of the purchase of personal property of any kind, where the amount involved is more than \$1,000, the council and clerk shall follow the statutes of the State of Minnesota.

CHAPTER 7

TAXATION AND FINANCES

Sec. 7.01. COUNCIL TO CONTROL FINANCES. The council shall have full authority over the financial affairs of the city and shall provide for the collection of all revenues and other assets, the auditing and settlement of accounts, and the safekeeping and disbursement of public moneys, and in the exercise of a sound discretion shall make appropriations for the payment of all liabilities and expenses.

Sec. 7.02. FISCAL YEARS. The fiscal year shall be the calendar year.

Sec. 7.03. 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. In the taxation of real and personal property as such, the city shall conform as fully as possible to the general state laws on the assessment of such property and the collection of such taxes.

Sec. 7.04. BOARD OF EQUALIZATION. The council shall constitute a board of equalization to equalize assessments of property for taxation purposes according

to law.

Sec. 7.05. PREPARATION OF THE ANNUAL BUDGET. The department heads shall prepare the estimates for the annual budget by a specified date, and submit the same to the clerk. The budget shall be by funds and shall include all the funds of the city, except the funds made up of proceeds of bond issues, utility funds and special assessment funds, and may include any of such funds at the discretion of the council. The estimates of expenditures for each fund budgeted shall be arranged for each department or division of the city under the following heads:

- (1) ordinary expenses (for operation, maintenance and repairs);
- (2) payment of principal and interest on bonds and other fixed charges;
- (3) capital outlays (for new construction, new equipment and all improvements of a lasting character).

Ordinary expenses shall be subdivided into:

- (a) salaries and wages, with a list of all salaried officers and positions, including the salary allowance and the number of persons holding each;
- (b) other expenses, 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 and the current fiscal year, actual to date and estimated for the balance of the year. In addition to the estimates of expenditures, the budget shall include for each budgeted fund a statement of the revenues which have accrued for the past two completed fiscal years with the amount collected and the uncollected balances together with the same information, based insofar as necessary on estimates, 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) earnings of public utilities and other public services enterprises
- (h) special assessments
- (i) sales of bonds and other obligations

Such estimates shall be printed or type-written and there shall be sufficient copies for each member of the council, for the city clerk, and three, at least, to be posted in public places in the city. The estimates shall be submitted to the council at its first regular monthly meeting in September and shall be made public. The department head may submit with the estimates such explanatory statement or statements as he may deem necessary, and during the first three years of operation under this charter he shall be authorized to interpret the requirements of this section as requiring only such comparisons of the city's finances with those of the previous government of the city as may be feasible and pertinent.

Sec. 7.06. PASSAGE OF THE BUDGET. The budget shall be the principal item of business at the first 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 opportunity to be heard.

The budget estimates shall be read in full and the department heads shall explain the various items thereof as fully as may be deemed necessary by the council. The annual budget finally agreed upon shall set forth in detail the complete financial plan of the city for the ensuing fiscal year for the funds budgeted and shall be signed by the majority of the council when adopted. It shall indicate the sums to be raised and from what sources and the sums to be spent and for what purposes according to section 7.05. The total sum appropriated shall be less than the total estimated revenue by a safe margin.

The council shall adopt the budget not later than the first week of October by a resolution which shall set forth the total of each budgeted fund and each department with such segregation as to objects and purposes of expenditures as the council deems necessary for purpose of budget control. The council shall also adopt a resolution levying whatever taxes it considers necessary for the ensuing year for each fund. The tax levy resolution shall be certified to the county auditor in accordance with law not later than October 10. At the beginning of the fiscal year the sums fixed in the budget resolution shall be and become appropriated for the several purposes named in the budget resolution and no other.

Sec. 7.07. ENFORCEMENT OF THE

BUDGET. It shall be the duty of the city council to enforce strictly the provisions of the budget. They shall not approve any order upon the city treasurer for any expenditure unless an appropriation has been made in the budget resolution, nor for any expenditure covered by the budget resolution unless there is a sufficient unexpended balance left after deducting the total past expenditures and the sum of all outstanding orders and encumbrances. No officer or employee of the city shall place any order or make any purchase except for the purpose and to the amount authorized in the budget resolution. Any obligation incurred by any person in the employ of the city for any purpose not authorized in the budget resolution or for any amount in excess of the amount therein authorized shall be a personal obligation upon the person incurring the expenditure.

Sec. 7.08. ALTERATIONS IN THE BUDGET. After the budget resolution has been adopted, the council shall have no power to increase the amounts fixed in the budget resolution, by the insertion of new items or otherwise, beyond the estimated revenues, unless the actual receipts exceed the estimates and then not beyond the actual receipts. The council may at any time, by resolution approved by a majority of its members, reduce the sums appropriated for any purpose by the budget resolution, or by a vote of three members, authorize the transfer of sums from unencumbered balances of appropriations in the budget resolution to other purposes.

Sec. 7.09. EMERGENCY APPROPRIATION IN BUDGET. The council may include an emergency appropriation as a part of the budget but not to exceed 10% of the total budget. A transfer from the emergency appropriation to any other appropriation shall be made only by a vote of at least three members of the council and shall be used only for the purposes designated by the council.

Sec. 7.10. DISBURSEMENTS. HOW MADE. No disbursement of city funds shall be made except by check signed by the city clerk and treasurer and specifying the purposes for which the disbursement is made and the fund from which it is drawn. No such check shall be issued until there is money to the credit of the fund from which it is to be paid sufficient to pay it together with all outstanding encumbrances upon the fund. No such check shall be issued until the claim to which it relates has been supported by an itemized bill, payroll, or time-sheet approved and signed by the responsible city officer who vouches for its correct-

ness and reasonableness. The city clerk shall note on each contract requiring the payment of money by the city the particular fund out of which it is to be paid. The council may by ordinance make further regulations for the safekeeping and disbursement of the funds of the city.

Sec. 7.11. FUNDS TO BE KEPT. There shall be maintained in the city treasury the funds provided for in the following subdivisions, or as the city council advises the city clerk to have the funds kept.

Subd. 1. 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.

Subd. 2. 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 by, either wholly or partly, 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. To the extent required by law, a separate account in the debt service fund shall be maintained for each issue of city obligations.

Subd. 3. 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.

Subd. 4. A special assessment fund, which shall be used to finance local improvements 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 warrants sold by the city to finance local improvements to be paid for, in whole or in part, by special assessments, 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 financed through the fund,
- (2) the redemption of all special assessment fund obligations, with interest, at or before maturity, and any inter-fund loans, and
- (3) abatements of assessments and refunds of receipts in error.

The council shall maintain the integrity of this fund by appropriations from tax funds, if necessary, and in addition may by ordinance create and maintain in the fund a cash reserve sufficient for working capital purposes.

In order to anticipate the collection of special assessments and the municipal share of the cost of a local improvement, the council may by a majority vote issue and sell obligations pledging the full faith and credit of the city, or pledging only special assessments, in such amounts and maturities as it may determine, but the aggregate amount of such obligations outstanding at any time shall not exceed the sum of the following:

(1) all assessments levied and uncollected.

(2) cost of work in progress to be financed in whole or in part by special assessments, and

(3) the cash reserve for working capital as previously determined by ordinance. In order that the fund may be administered on a self-sustaining basis, all local 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 when installments of special assessments levied for the same project are due, corresponding assessment rolls shall be charged interest as in the case of assessments and shall be credited to the fund, with any interest due, when collected. To the extent required by law, a tax for the city's share of the cost shall be levied before any obligations against the fund are issued and sold. When a local improvement to be financed wholly or partly from special assessment is under-

taken under any applicable statute, any provision of this subdivision inconsistent with the statute shall not apply.

Subd. 5. A public utility fund into which shall be paid all money derived from the sale of obligations 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. Separate accounts within the public utility fund shall be kept for all utilities which are operated separately.

Subd. 6. In addition to the foregoing funds, there may be maintained in the city treasury, whenever the council deems it advisable, the following funds:

(a) One or more working capital or revolving funds for financing self-sustaining activities not accounted for through other funds.

(b) One or more trust and agency funds for the care and disbursement of money received and held by the city as trustee or custodian or in the capacity of any agent for individuals or other governmental units.

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

Subd. 7. In lieu of establishing any of the types of funds specified in Subd. 6, the council may provide for the recording of operations or activities for which the use of such funds might be suitable through maintenance of separate accounts in any appropriate fund already established. The council shall have full power by ordinance or resolution to make interfund loans, except from trust and agency funds, as it may deem necessary and appropriate from time to time.

Sec. 7.12. 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 adopted in accord therewith.

He shall submit to the council a statement each month showing the amount of money in the custody of the city treasurer, the status of all funds, the amounts spent or chargeable against each of the annual budget allowances and the balances left in each, and such other information about the finances of the city

as the council may require. Once each year on or before the last day of December, 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:

- (a) the actual receipts and expenditures omitting duplications and stating the cash balance at the beginning of the last fiscal year and at the close;
- (b) the total outlays for operation and maintenance and the total capital outlays;
- (c) the condition of each of the funds;
- (d) the total receipts by sources and the total expenditures by general purposes;

(e) the total outstanding bonds and debts of the city when due;

(f) the amount of new bonds issued and the amount redeemed and the interest rate of each;

(g) the condition of all the annual budget allowances;

(h) an inventory of all the property owned by the city;

(i) and such further information as the city clerk may deem advisable or the council require.

Sec. 7.13. CITY INDEBTEDNESS. Except as provided in Sec. 7.14, no obligations shall be issued to pay current expenses, but the council may issue and sell obligations for any other municipal purpose in accordance with law and within the limitations prescribed by law. Except in the case of obligations for which an election is not required by this charter or by state law, no such obligations shall be issued and sold without the approval of the majority of the electors of the city voting on the question at a general or special election.

Sec. 7.14. TAX AND REVENUES ANTICIPATION CERTIFICATES. At any time after January 1 following the making of an annual tax levy, the council may issue certificates of indebtedness in anticipation of the collection of taxes levied for any fund, or State or Federal Aids, or municipal revenues, and not yet collected. The Total amount of certificates issued against any fund for any year with interest thereon until maturity shall not exceed 90% of the total current taxes for the fund uncollected at the time of issuance. Such certificates shall be issued on such terms and conditions as the council may determine and shall bear interest at a rate not to exceed 6% per annum, but they shall become due and payable not later than the 1st day of April of the year following their issuance. The proceeds of the tax levied for the fund

against which tax anticipation certificates are issued and the full faith and credit of the redemption of the certificates in the order of their issuance against the fund.

Sec. 7.15. 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, the council may by ordinance issue and sell on such terms and in such manner as the council determines emergency debt certificates to run not to exceed two years and to bear interest at not more than 6% per year. A tax sufficient to pay principal and interest on such certificates with the margin required by law shall be levied as required by law. The ordinance authorizing the issue of such emergency debt certificates shall state the nature of the emergency and be approved by at least five members of the council. It may be passed as an emergency ordinance.

CHAPTER 8 PUBLIC IMPROVEMENTS AND SPECIAL ASSESSMENTS

Sec. 8.01. POWER TO MAKE IMPROVEMENTS AND LEVY ASSESSMENTS. The city shall have the power to make any and every type of public improvements not forbidden by the laws of the state and to levy special assessments to pay all or part of the cost of such improvements as are of a local character. The amounts assessed to benefited property to pay for such local improvements may equal the cost of the improvement, including all costs and expenses connected therewith, with interest, until paid, but shall in no case exceed the benefits to the property.

Sec. 8.02. ASSESSMENTS FOR SERVICES. The council may provide by ordinance that the cost of sprinkling, snow or rubbish removal, or of any other service to streets, sidewalks, or other public property, or the costs of any services to other property undertaken by the city may be assessed against the property benefited and collected in like manner as are special assessments.

Sec. 8.03. LOCAL IMPROVEMENTS REGULATIONS. After this charter takes effect, local improvements commenced prior thereto shall be completed and assessments may be levied and securities issued for the financing thereof as prescribed by law or charter provisions applicable thereto. The council may

prepare and adopt a comprehensive ordinance prescribing the procedure which shall be followed thereafter in making all local improvements and levying assessments therefor. Such ordinance shall supersede all other provisions of the law on the same subject and may be amended only by an affirmative vote of at least three members of the council. In the absence of such ordinance all local improvements may be made and assessments levied therefor as prescribed by any applicable law.

Sec. 8.04. PUBLIC WORKS; HOW PERFORMED. Public works, including all local improvements, may be constructed, extended, repaired and maintained either directly by day labor or by contract. The city shall require contractors to give bonds for the protection of the city and all persons furnishing labor and materials pursuant to the laws of the State of Minnesota.

CHAPTER 9

EMINENT DOMAIN

Sec. 9.01. POWER TO ACQUIRE PROPERTY. The city may acquire by purchase, gift, devise or condemnation any property, corporeal or incorporeal, either within or without its corporate boundaries, which may be needed by the city for any public use or purpose. Easement for slopes, fills, sewers, building lines, poles, wires, pipes and conduits for water, gas, heat and power may be acquired by purchase, gift, devise or condemnation in the manner provided by law.

Sec. 9.02. PROCEEDINGS IN ACQUIRING PROPERTY. The necessity for the taking of any property by the city shall be determined by the council and shall be declared by a resolution which shall describe such property as nearly as may be and state the use to which it is to be devoted. In acquiring property by exercising the power of eminent domain, the city shall proceed according to the General Laws of the State of Minnesota.

CHAPTER 10 FRANCHISES

Sec. 10.01. FRANCHISES REQUIRED, EXCEPT AS OTHERWISE PROVIDED BY LAW. No person, firm or corporation shall place or maintain any permanent or semi-permanent fixture in, over, upon, or under any street or public place for the purpose of operating a public utility or for any other purpose, without a franchise therefor from the city.

A franchise shall be granted only by ordinance, which shall not be an emergency ordinance. Every ordinance granting a franchise shall contain all the terms and conditions of the franchise. The grantee shall bear the costs of publication of the franchise ordinance and shall make a sufficient deposit with the clerk to guarantee publication on or before the date the ordinance is passed.

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

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

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

Sec. 10.05. RENEWALS OR EXTENSIONS. Every extension, renewal or modification of any existing franchise or of any franchise granted hereafter shall be subject to the same limitations and shall be granted in the same manner as a new franchise.

CHAPTER 11

PUBLIC UTILITIES

Sec. 11.01. ACQUISITION AND OPERATION OF UTILITIES. All public utilities now or hereafter owned and operated by the city shall constitute one department of the city known as the "Public Utility Department", and the council shall have general management and control thereof with full power to do all things necessary for the proper operation, Maintenance improvement, acquisition, extension and repair of such public utilities. The term "public utilities"

as used herein includes any property, whether located within or without the corporate limits of the city, used or useful for the production, transmission or distribution and sale of water, electric energy, gas or steam, or the collection, transportation, treatment and disposal of sewage, surface water or any domestic, commercial or industrial wastes or garbage together with and including any other public convenience, enterprise or utility from which a revenue is or may be derived.

Sec. 11.02. RATES. Rates to be charged for all services, materials, labor or benefits furnished by any such public utility, including charges to be made for service or benefits furnished to the city as a whole or any of its departments, rules and regulations necessary to properly regulate furnishing such service and secure prompt payment of bills, the method by which the city may acquire and collect liens upon property for unpaid bills, and the manner and extent to which the city shall operate such public utilities and furnish service outside the corporate limits of the city shall be established or changed only by ordinance.

Sec. 11.03. CAPITAL EXPENDITURES. It shall be the duty of the council to see that rates are adequate to provide funds to properly operate and maintain and pay interest and principal on any indebtedness which may be incurred for capital expenditures for the improvement, acquisition, extension and repair of such public utilities.

To provide funds necessary for capital expenditures, the council shall have powers by ordinance to authorize the issuance of revenue warrants which shall be payable solely from the net revenues of the public utility department and the city shall be expressly relieved by the terms thereof from any obligation to levy, collect, use or apply any taxes or moneys received from taxation to the payment of either principal or interest on such revenue warrants, except for the payment of service rendered to, or health or other benefits received by, the city as a whole or any of its departments.

Such ordinance shall fix the maximum amount of revenue warrants thereby authorized; describe in general terms the nature of the capital expenditures for which they are issued; and may contain covenants determining what shall constitute net revenue of the public utilities department; whether all or part of the net revenues shall be pledged; and such other provisions as the council may deem necessary; provided, however, that

no such ordinance shall ever be construed as an emergency ordinance. Such revenue warrants shall bear interest at not to exceed statutory limits, payable semi-annually, and shall mature at such time or times, be in such form and be sold under such terms as the council may by resolution deem for the best interests of the city. The council shall have power by resolution to issue refunding revenue warrants to refund outstanding revenue warrants whenever moneys from the net revenues pledged are insufficient to meet any maturing revenue warrants or interest or at the optional or callable dates of such revenue warrants, and each issue of refunding revenue warrants shall constitute the same charge or lien on the net revenues of the public utility department as do the warrants refunded.

Sec. 11.04. METHOD OF SALE OR LEASE. No public utility now or hereafter owned by the city shall be sold, leased or otherwise disposed of unless the full terms of the proposed sale, lease or other disposition thereof shall have been embodied in the ordinance passed by the council and the proposition submitted to an election and approved by a majority vote of the voters voting on the question.

CHAPTER 12

MISCELLANEOUS AND TRANSITORY PROVISIONS

Sec. 12.01. OFFICIAL PUBLICATIONS. The council shall annually designate a legal newspaper of general circulation in the city as its official newspaper as provided by the laws of the State of Minnesota.

Sec. 12.02. 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, Councilman, etc.) of the City of St. Charles to the best of my judgment and ability.

Sec. 12.03. CITY OFFICERS NOT TO BE INTERESTED IN CONTRACTS. Except as otherwise permitted by law, no officer of the city who is authorized to take part in any manner in any contract with the city shall voluntarily have a personal financial interest in such contract or personally benefit financially therefrom.

Sec. 12.04. OFFICIAL BONDS. The city clerk, the city treasurer and

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

Sec. 12.05. SALES OF REAL PROPERTY. No real property of the city shall be disposed of except by ordinance. The proceeds of any sale of such property 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. If there is no such outstanding indebtedness, the council may by resolution designate some other public use for the proceeds.

Sec. 12.06. VACATION OF STREETS OR PUBLIC EASEMENTS. The council may by ordinance approve a majority vote of the council vacate any street or alley or other public easements or part thereof within the city. Such vacation may be made only after publication notice and an opportunity for affected property owners and public to be heard, and upon such further terms and by such procedure as the council by ordinance may prescribe. A notice of completion of such proceedings shall be filed with the proper county officers in accordance with law.

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

Sec. 12.08. PRESENT OFFICERS TO HOLD OFFICE UNTIL WHEN. The present officers of the city shall continue to govern the city in the usual manner until January 1, 1976. They shall make such financial and other provisions for the fiscal year 1975 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 a Chapter Four (4) of this charter.

Sec. 12.09. 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 St. Charles operating under home rule charters, and not inconsistent with the provisions of this charter, shall apply to the City of St. Charles and shall be construed as supplementary to the provisions of this charter.

Sec. 12.10. 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. 12.11. 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 thereon enforced in the same manner as if this charter had not been adopted.

Sec. 12.12. ORDINANCES TO MAKE CHARTER EFFECTIVE. The council shall by ordinance make such regulations as may be necessary to carry out and make effective the provisions of this charter.