

General Government

CHAPTER 415

GOVERNING BODIES

415.01 LAWS RELATING TO TOWNS NOT TO APPLY TO TERRITORY IN CITIES OR VILLAGES.

HISTORY. 1860 c. 14 art. 14 s. 12; G.S. 1866 c. 10 s. 108; G.S. 1878 c. 10 s. 112; G.S. 1894 s. 1029; R.L. 1905 s. 692; G.S. 1913 s. 1196; G.S. 1923 s. 1103; M.S. 1927 s. 1103.

The word "town" may include cities and districts, unless such construction would be repugnant to the provisions of any act specially relating to such cities or districts. General Statutes 1878, Chapter 4, Section 1. *Odegaard v City of Albert Lea*, 33 M 351, 23 NW 526.

It is a settled rule long in force in this state that in construing the word "town", where it occurs in a statute, it may apply to "cities and districts, unless such construction would be repugnant to the provisions" thereof. General Statutes 1894, Section 255. *Tucker v County Board*, 90 M 406, 97 NW 103.

415.02 CODIFICATION OF CHARTER AND ORDINANCE; EVIDENCE.

HISTORY. 1901 c. 296; R.L. 1905 s. 771; G.S. 1913 s. 1792; G.S. 1923 s. 1837; M.S. 1927 s. 1837.

A single ordinance may be enacted for the purpose of numbering old village ordinances which may be obsolete or superseded by other later ordinances, and it is not necessary to republish the old ordinances. OAG March 21, 1934.

415.03 PUBLICATION OF VILLAGE PROCEEDINGS.

HISTORY. 1937 c. 472 ss. 1, 2; M. Supp. ss. 1197-1, 1197-2.

415.031 MAYOR OF CERTAIN CITIES MAY VOTE IN CASE OF A TIE.

HISTORY. 1933 c. 192; M. Supp. s. 1828-100.

415.032 OFFICE OF MAYOR AND CHIEF OF POLICE COMBINED IN CERTAIN CITIES.

HISTORY. 1937 c. 68 s. 1; M. Supp. s. 1828-103.

415.033 TERMS OF MAYOR IN CERTAIN CITIES OF FOURTH CLASS.

HISTORY. 1941 c. 124.

415.04 SALARIES OF COUNCIL MEMBERS IN CERTAIN VILLAGES.

HISTORY. 1915 c. 313; G.S. 1923 s. 1163; 1925 c. 116, ss. 1, 2; 1927 c. 58 s. 1; 1927 c. 312; M.S. 1927 ss. 1163, 1163-1, 1163-2; 1931 c. 47 s. 1; 1931 c. 362 s. 1; 1935 c. 36 s. 1; 1935 c. 158 s. 1; Ex. 1936 c. 89; c. 13 s. 1; 1939 c. 272 s. 1; 1939 c. 300 s. 1; M. Supp. s. 1163-1. [Repealed by 1945 c. 464 s. 2]

Whether the absence of a village trustee from the village for six months for the purpose of obtaining employment constitutes an abandonment of the office and right to compensation is a question of fact. OAG Dec. 19, 1935 (359a-21).

MINNESOTA STATUTES 1945 ANNOTATIONS

2459.

GOVERNING BODIES 415.08

Salaries of village officers should be fixed at the beginning of term and are not subject to modification by the council during such term. The salaries of the village president and trustees should be fixed as soon as practicable after each member's election for such member's full term, and such salaries are not subject to modification during such member's term after same have been fixed. OAG Jan. 15, 1935 (471k).

This section governs the compensation of the president and trustee, but not the recorder. OAG Feb. 20, 1936 (471k).

Salaries of president and trustees are determined by the assessed valuation and population. OAG June 6, 1936 (471k).

The compensation of the members of the council of the village of Deephaven is governed by this section. OAG July 20, 1934 (471k).

Where salaries of village operating under Laws 1885, Chapter 145, were fixed pursuant to this section, such salaries are still governed by it after the amendment thereof. OAG Feb. 24, 1936 (469a-13).

This section applies to the village of Grand Rapids, which does not operate under a home rule charter. OAG Oct. 11, 1934 (469b).

Increase of salaries of village officers took effect upon the date of the approval of the amendment. OAG Dec. 18, 1936 (469a-13).

Salaries of village officers for the entire year 1932 are determined by the population shown by the last federal census and the valuation as equalized for 1931. OAG Dec. 28, 1931.

Money and credits are included in the term "assessed valuation". OAG Dec. 13, 1937 (471h).

"Assessed valuation" means assessed valuation as finally fixed by the Minnesota tax commission. OAG April 26, 1929.

Offices of member of village council and village assessor are incompatible in view of this section, which bases salaries upon assessed valuations of the village. OAG March 12, 1931.

415.045 SALARIES OF PRESIDENT AND TRUSTEES IN VILLAGE.

HISTORY. 1945 c. 464 s. 1.

415.05 SALARIES OF MAYOR AND COUNCIL IN CITIES OF FOURTH CLASS.

HISTORY. 1905 c. 301 s. 1; G.S. 1913 s. 1736; G.S. 1923 s. 1728; M.S. 1927 s. 1728.

Cities organized under Laws 1921, Chapter 462 (Section 1828-17 et seq.) (411.01), are governed by this section rather than by section 1828-53 (411.36) in the matter of fixing the salaries of the members of the city council and the mayor. OAG June 8, 1937 (63a-2):

Election in city of St. Peter increases the salaries of aldermen to \$100.00. OAG May 18, 1937 (359a-21).

415.06 VOTES, HOW CAST.

HISTORY. 1905 c. 301 s. 2; G.S. 1913 s. 1737; G.S. 1923 s. 1729; M.S. 1927 s. 1729.

415.07 TO WHAT CITIES APPLICABLE.

HISTORY. 1905 c. 301 s. 3; G.S. 1913 s. 1738; G.S. 1923 s. 1730; M.S. 1927 s. 1730.

General laws operating in all cities are not limited by a provision in a special charter that the general laws of the state shall not be considered as repealing the provisions of the charter. OAG Feb. 25, 1930.

415.08 SALARY OF ALDERMEN.

HISTORY. 1937 c. 294 s. 1; 1939 c. 132 s. 1; M. Supp. s. 1417-1.