

## CHAPTER 412

### STATUTORY CITIES

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#### 412.02 CITY ELECTIONS; OFFICERS, TERMS, VACANCIES.

Subdivision 1. **Officers elected.** The following officers shall be elected for the terms and in the years shown and in the cities described in the table.

Officer	Number of Years in Term	Year Elected	City Elected
Mayor	Two or four	Every two years except where four years is otherwise provided pursuant to statute	Every statutory city
Clerk	Four	Every four years in year when treasurer is not elected	Every statutory standard plan city in which there is no clerk-treasurer
Treasurer	Four	Every four years in year in which clerk is not elected	Every statutory standard plan city in which there is no clerk-treasurer
Clerk- Treasurer	Four	Every four years in year in which one councilman is elected	Every statutory standard plan city where such office exists pursuant to subdivision 3
Three Councilmen	Four	Two every four years and one in alternative election	Every statutory standard plan city
Four Councilmen	Four	Two each election	Every statutory optional plan city

*[For text of subds 2 to 3, see M.S.1982]*

Subd. 5. *[Repealed, 1983 c 359 s 151]*

**History:** 1983 c 359 s 62

#### 412.021 OFFICERS.

*[For text of subd 1, see M.S.1982]*

Subd. 2. **Officers to be elected.** There shall be elected at the election a mayor for a term expiring the first business day of January of the next odd-numbered year and four councilmen, for terms so arranged that two expire the first business day of January of the next odd-numbered year and two the first business

day of January of the second odd-numbered year. No candidate for councilman shall run for a particular term but the number of years in the term of each successful candidate shall be determined by his relative standing among the candidates for office, the longest terms going to the two candidates receiving the highest number of votes. If the election occurs in the last four months of the even-numbered year, no election shall be held in the city on the annual city election day that year, and the next following year shall be disregarded in fixing the expiration of terms of officers chosen under this subdivision at the initial election.

*[For text of subd 5, see M.S.1982]*

**History:** 1983 c 359 s 63

#### **412.023 TRANSITION SCHEDULE.**

*[For text of subds 1 to 4, see M.S.1982]*

Subd. 5. **Other officers.** Any statutory city previously operating as a city or borough under a general or special law which has established the office of city administrator by ordinance may continue the office in existence notwithstanding the provisions of Laws 1973, chapter 123.

**History:** 1983 c 359 s 64

#### **412.092 INVALIDLY INCORPORATED STATUTORY CITY, PROPERTY OF.**

Subdivision 1. **Disposition of property.** Except where otherwise provided by law, any property, assets, or money held in the name of a city whose incorporation has been set aside by the court of appeals is the property, assets, or money of the town from which the territory sought to be incorporated as a city belongs.

*[For text of subds 2 and 3, see M.S.1982]*

**History:** 1983 c 247 s 149

#### **412.111 DEPARTMENTS, BOARDS.**

The council may create departments and advisory boards and appoint officers, employees, and agents for the city as deemed necessary for the proper management and operation of city affairs. The council may prescribe the duties and fix the compensation of all officers, both appointive and elective, employees, and agents, when not otherwise prescribed by law. The council may require any officer or employee to furnish a bond conditioned for the faithful exercise of his duties and the proper application of, and payment upon demand of, all moneys officially received by him. Unless otherwise prescribed by law, the amount of the bonds shall be fixed by the council. The bonds furnished by the clerk and treasurer shall be corporate surety bonds. The council may provide for the payment from city funds of the premium on the official bond of any officer or employee of the city. The council may, except as otherwise provided, remove any appointive officer or employee when in its judgment the public welfare will be promoted by the removal. This provision does not modify the laws relating to

veterans preference or to members of a city police or fire civil service commission or public utilities commission.

**History:** 1983 c 359 s 65

**412.171** [Repealed, 1983 c 359 s 151]

**412.861 PROSECUTIONS, VIOLATIONS OF ORDINANCES.**

*[For text of subds 1 and 2, see M.S.1982]*

Subd. 3. **Appeal to district court.** Appeals may be taken to the district court in the manner prescribed by court rule. If the defendant appeals, he shall give bond to the city, to be approved by the court, conditioned that, if the judgment be affirmed in whole or in part, he will pay the judgment, and all costs and damages awarded against him on the appeal. In case of affirmance, execution may issue against both defendant and his sureties. Upon perfection of the appeal, defendant shall be discharged from custody.

**History:** 1983 c 359 s 66