

CHAPTER 415

GOVERNING BODIES

<p>415.01 Town laws, application. 415.02 Charter, ordinances; codification as evidence. 415.021 Codification of ordinances. 415.10 Certain cities; officials; per diem payments.</p>	<p>415.11 Second to fourth class cities; governing body salaries. 415.15 Resigning member cannot vote for successor. 415.16 Employment; residence requirement. 415.17 Businesses that violate ordinances.</p>
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

415.01 TOWN LAWS, APPLICATION.

Nothing contained in chapters 365 to 368 shall apply to territory embraced within the limits of any city, but each city shall have and exercise within its limits all the powers conferred by these chapters upon towns.

History: (1103) *RL s 692; 1973 c 123 art 5 s 7*

415.02 CHARTER, ORDINANCES; CODIFICATION AS EVIDENCE.

Any city may cause its charter and all general and special laws, ordinances, resolutions, rules, and bylaws in force therein to be codified, printed, and published and may declare by ordinance such codification to be prima facie evidence of the law of such municipality. It shall thereupon be received in evidence by the courts.

History: (1837) *RL s 771; 1973 c 123 art 5 s 7*

415.021 CODIFICATION OF ORDINANCES.

A statutory or home rule charter city, or town, may revise and codify and print in book, pamphlet or newspaper form, any ordinances, resolutions, and rules of the city or town and may include therein for reference any applicable general or special laws. Such codification shall be a sufficient publication of any ordinance included in it and not previously published in a newspaper if a substantial quantity of the codification is printed for general distribution to the public. A copy of any ordinances adopted by the city or town must be furnished to the county law library or its designated depository. A city or town, upon request, shall be reimbursed a reasonable charge by the county law library for a copy furnished.

History: 1957 *c 115 s 1; 1969 c 73 s 1; 1984 c 543 s 49; 1990 c 361 s 1; 1995 c 105 s 2*

415.03 [Repealed, 1949 c 119 s 110]

415.031 [Repealed, 1976 c 44 s 70]

415.032 [Repealed, 1951 c 174 s 1]

415.033 [Repealed, 1976 c 44 s 70]

415.035 MS 1941 [Repealed, 1976 c 44 s 70]

415.04 [Repealed, 1945 c 464 s 2]

415.045 [Repealed, 1949 c 119 s 110]

415.05 [Repealed, 1976 c 44 s 70]

415.06 [Repealed, 1976 c 44 s 70]

415.07 [Repealed, 1976 c 44 s 70]

415.08 [Repealed, 1961 c 561 s 17]

415.10 CERTAIN CITIES; OFFICIALS; PER DIEM PAYMENTS.

The governing body of any city in which the net tax capacity consists in part of iron ore, taconite or semitaconite may pay the members of such governing body a per diem in an

amount not to exceed \$25 per day nor \$250 per year for members of such governing body who are absent from the municipality in the performance of their duty as municipal officials.

History: 1957 c 246 s 1; 1963 c 158 s 1; 1973 c 57 s 1; 1973 c 123 art 5 s 7; 1988 c 719 art 5 s 84; 1989 c 329 art 13 s 20

415.11 SECOND TO FOURTH CLASS CITIES; GOVERNING BODY SALARIES.

Subdivision 1. **Set by ordinance.** Notwithstanding the provisions of any general or special law, charter, or ordinance, the governing body of any statutory or home rule charter city of the second, third or fourth class may by ordinance fix their own salaries as members of such governing body, and the salary of the chief elected executive officer of such city, in such amount as they deem reasonable.

Subd. 2. **After next election.** No change in salary shall take effect until after the next succeeding municipal election.

History: Ex1967 c 42 s 1,2; 1976 c 44 s 34

415.15 RESIGNING MEMBER CANNOT VOTE FOR SUCCESSOR.

No resigning member of a city council shall participate in a vote of the council to choose a person to replace the resigning member.

History: 1974 c 36 s 1

415.16 EMPLOYMENT; RESIDENCE REQUIREMENT.

Subdivision 1. **No exception for on-premises residence.** Notwithstanding any contrary provision of other law, home rule charter, ordinance or resolution, no statutory or home rule charter city or county shall require that a person be a resident of the city or county as a condition of employment by the city or county except for positions which by their duties require the employee to live on the premises of the person's place of employment.

Subd. 2. **Reasonable area or response time requirement.** A statutory or home rule charter city or county, except if it is located in the area defined in section 473F.02, subdivision 2, may impose a reasonable area or response time residency requirement if there is a demonstrated, job-related necessity.

Subd. 3. **Volunteer or nonprofit firefighters.** A statutory or home rule charter city or county may impose a reasonable residency requirement on persons employed as volunteers or as members of a nonprofit firefighting corporation if there is a demonstrated, job-related necessity. The residency requirement must be related to response time and established without regard to political subdivision boundaries.

History: 1981 c 181 s 1; 1984 c 585 s 1; 1985 c 197 s 1

415.17 BUSINESSES THAT VIOLATE ORDINANCES.

The governing body of a home rule charter or statutory city may order that a place of business be closed if it determines that the business conducted at that place was in violation of a city zoning or licensing ordinance at the time the business was established at that location. The city must have in place a proper notification procedure and have followed the procedure prior to requesting the enforcement of this section.

History: 1996 c 430 s 1

NOTE: This section, as added by Laws 1996, chapter 430, section 1, is effective August 1, 1996, and applies to a business established or licensed on or after that date. Laws 1996, chapter 430, section 2.