

## CHAPTER 412

### STATUTORY CITIES

412.021 Officers.  
412.091 Dissolution.

412.301 Financing purchase of certain equipment.

#### 412.021 OFFICERS.

Subdivision 1. **Election.** Upon the filing of the certificate with the secretary of state, if the vote is in favor of incorporation, the judges of election appointed by the director of the Office of Strategic and Long-Range Planning or the county board as the case may be, shall fix a day at least 15 and not more than 30 days thereafter and a place for the holding of an election for officers. The judges shall also fix the time, not less than three hours, during which the polls shall remain open at the election and shall post a notice setting forth the time and place of such election in three public places in the city for at least ten days preceding the election.

*[For text of subs 2 and 5, see M.S.2002]*

**History:** 2003 c 2 art 5 s 8

#### 412.091 DISSOLUTION.

Whenever a number of voters equal to one-third of those voting at the last preceding city election petition the director of the Office of Strategic and Long-Range Planning therefor, a special election shall be called to vote upon the question of dissolving the city. Before the election, the director shall designate a time and place for a hearing in accordance with section 414.09. After the hearing the director shall issue an order which shall include a date for the election, a determination of what town or towns the territory of the city shall belong to if the voters favor dissolution, and other necessary provisions. The ballots used at such election shall bear the printed words, "For Dissolution" and "Against Dissolution," with a square before each phrase in which the voter may express a preference by a cross. If a majority of those voting on the question favor dissolution, the clerk shall file a certificate of the result with the director, the secretary of state and the county auditor of the county in which the city is situated. Six months after the date of such election, the city shall cease to exist. Within such six months, the council shall audit all claims against the city, settle with the treasurer, and other city officers, and apply the assets of the city to the payment of its debts. If any debts remain unpaid, other than bonds, the city clerk shall file a schedule of such debts with the county treasurer and the council shall levy a tax sufficient for their payment, the proceeds of which, when collected, shall be paid by the county treasurer to the creditors in proportion to their several claims until all are discharged. The principal and interest on outstanding bonds shall be paid when due by the county treasurer from a tax annually spread by the county auditor against property formerly included within the city until the bonds are fully paid. All city property and all rights of the city shall, upon dissolution, inure in the town or towns designated as the legal successor to the city. If the city territory goes to more than one town, surplus cash assets and unsold city property shall be distributed as provided by the order for the election.

**History:** 2003 c 2 art 5 s 9

#### 412.301 FINANCING PURCHASE OF CERTAIN EQUIPMENT.

The council may issue certificates of indebtedness or capital notes subject to the city debt limits to purchase public safety equipment, ambulance equipment, road construction or maintenance equipment, and other capital equipment and computer hardware and original operating system software, provided the equipment or software has an expected useful life at least as long as the terms of the certificates or notes. The

authority to issue capital notes for original operating system software expires on July 1, 2005. Such certificates or notes shall be payable in not more than five years and shall be issued on such terms and in such manner as the council may determine. If the amount of the certificates or notes to be issued to finance any such purchase exceeds 0.25 percent of the market value of taxable property in the city, they shall not be issued for at least ten days after publication in the official newspaper of a council resolution determining to issue them; and if before the end of that time, a petition asking for an election on the proposition signed by voters equal to ten percent of the number of voters at the last regular municipal election is filed with the clerk, such certificates or notes shall not be issued until the proposition of their issuance has been approved by a majority of the votes cast on the question at a regular or special election. A tax levy shall be made for the payment of the principal and interest on such certificates or notes, in accordance with section 475.61, as in the case of bonds.

**History:** 2003 c 127 art 12 s 17; 1Sp2003 c 21 art 10 s 11