

# Minneapolis Charter Commission Charter Revision Committee

## Side-by-Side Comparison: Plain Language Revision to Original

June 2013

Plain Language Revision	Original Provision
<b>Article I General Provisions</b>	
<b>§ 1.1. Name</b>	
This charter governs a city named the “City of Minneapolis” in Hennepin County, Minnesota. For this charter’s purposes, the “City” means the City of Minneapolis, and its provisions refer to the City unless the context clearly indicates otherwise.	The City of Minneapolis in the County of Hennepin in the State of Minnesota shall continue to be a municipal corporation under the name and style of the City of Minneapolis . . . . [ch. 1, § 1]
<b>§ 1.2. Status</b>	
The City is a municipal corporation having adopted this home-rule charter under the Minnesota Constitution, article XII, section 4. This charter is effective as of January 1, 2015, subject to any amendment after that date.	The City of Minneapolis in the County of Hennepin in the State of Minnesota shall continue to be a municipal corporation . . . . [ch. 1, § 1]
<b>§ 1.3. Authority</b>	
(a) <b>Basic authority.</b> Subject to applicable law, this charter and action taken under its authority are the basis for the conduct of all the City’s business.	

<p>(b) <b>Restatement and supersession.</b> This charter fully restates and supersedes every prior version of, and any ordinance or other municipal act inconsistent with, this charter. But except as this charter or an amendment explicitly provides otherwise, the charter does not affect—</p>	
<p>(1) any ordinance or other municipal act adopted before its adoption or its latest revision or amendment;</p>	<p>The government of the City of Minneapolis and its several boards and departments existing at the time this Charter goes into effect shall continue as the government of said city and its several boards and departments under this Charter and all ordinances and regulations then existing and in force shall continue to exist and be in force unless otherwise provided in this Charter. [ch. 11, § 1]</p>

<p>(2) the existence, status, function, composition, powers, or duties of any board, commission, committee, department, or other public body; or</p>	<p>The City of Minneapolis in the County of Hennepin in the State of Minnesota shall continue to be a municipal corporation under the name and style of the City of Minneapolis with the same boundaries as now are or may be hereafter established. [ch. 1, § 1]</p> <p>The government of the City of Minneapolis and its several boards and departments existing at the time this Charter goes into effect shall continue as the government of said city and its several boards and departments under this Charter and all ordinances and regulations then existing and in force shall continue to exist and be in force unless otherwise provided in this Charter. [ch. 11, § 1]</p> <p>The City of Minneapolis and the several Boards and Departments of said city, in addition to all the rights, powers, duties, functions, privileges and immunities expressly conferred upon and vested in them or any of them under and by virtue of the provisions of this charter, shall under this Charter also have, possess, perform, exercise and enjoy all other rights, powers, duties, functions, privileges and immunities held, possessed, performed, exercised or enjoyed by said city and its several departments and boards respectively at the time of the adoption of this Charter. [ch. 20, § 2]</p>
<p>(3) the office, tenure, powers, or duties of any officer.</p>	<p>Nothing in this Charter contained shall be construed as legislating out of office any elected official of the City of Minneapolis, or any officer appointed by the City Council thereof. [ch. 2, § 2]</p>

<p>(c) <b>Laws.</b></p> <p>(1) <b>Inconsistent laws superseded.</b> This charter supersedes any special law in effect at the time of the charter’s latest revision on January 1, 2015, to the extent of any inconsistency between them.</p> <p>(2) <b>Certain laws preserved.</b> The charter does not affect any special or other law to the extent that it—</p> <p>(A) confers upon the City, or upon any board, commission, committee, department, or officer for which this charter or an ordinance provides, a power, right, duty, or role in addition to those for which the charter or ordinance provides; or</p> <p>(B) covers a matter that this charter does not cover.</p>	<p>No law heretofore passed by the Legislature of the State of Minnesota and expressly made applicable only to cities of the first class having a home-rule charter or governed under a charter adopted pursuant to Section 36, Article 4, or the State Constitution, and in force at the time of the adoption of this Charter, shall apply to the City of Minneapolis or any of its departments, boards or officers, and no such law shall confer or impose upon or vest in the City of Minneapolis or any of its departments, boards or officers any rights, powers, duties, functions, privileges or immunities whatever. [ch. 20, § 3]</p>
<p>(d) <b>Construction.</b> Except as this charter otherwise provides—</p>	
<p>(1) each term used in this charter has the same meaning as in the Minnesota constitution and statutes, and other law relating to the same subject;</p>	
<p>(2) the canons of construction and other principles of interpretation in the Minnesota statutes apply to this charter;</p>	<p>The use of either the masculine, feminine or neuter gender in this Charter shall be deemed to include the other genders, unless the context clearly requires otherwise. [ch. 11, § 17]</p> <p>words of one gender include the other genders [Minn. Stat. § 645.08(2)]</p>

<p>(3) each heading is a part of the charter, and may be used in interpreting its provisions, although the heading is subject to the text; and</p>	<p>Compare Minn. Stat. § 645.49 (headnotes) (“The headnotes printed in boldface type before sections and subdivisions in editions of Minnesota Statutes are mere catchwords to indicate the contents of the section or subdivision and are not part of the statute.”).</p>
<p>(4) the settled interpretation of any term or provision from a version of the charter before its latest revision on January 1, 2015, is valid in interpreting the revised charter to the extent that the charter carries forward the interpreted provision or term;</p>	
<p>(5) any reference to population refers to the latest decennial federal census; and</p>	
<p>(6) a “resident” means an inhabitant who resides within the City, regardless of whether he or she is a citizen within the meaning of the federal or state constitution or any other law.</p>	
<p>§ 1.4. <b>Powers</b></p>	
<p>(a) <b>Powers plenary.</b> The City, acting through the boards, commissions, committees, departments, and officers for which this charter or an ordinance provides, may exercise any power that a municipal corporation can lawfully exercise at common law.</p>	<p>The City of Minneapolis . . . shall have all the general powers possessed by municipal corporations at common law, and in addition thereto shall possess powers hereinafter specifically granted . . . . [ch. 1, § 2]</p>

<p>(1) <b>Eminent domain.</b> The City Council may, and any other authorized board may, establish the procedure by which the City exercises through that board its power of eminent domain, including the procedure for any appeal from an award in condemnation.</p>	<p>The City Council shall have the power to acquire by purchase or condemnation such private property as may be necessary for sites for public buildings for the use of the city and all departments thereof, for all structures connected with any department of the city, and for all streets, alleys and public squares in the city, and to ascertain and determine the value of all such private property taken for such uses, and the amount of all damages occasioned to any private property by reason of any public works or structures, and for that purpose may appoint commissioners to appraise such value or damages, or acquire information thereof in any other manner it shall deem advisable. [ch. 4, § 15]</p>
<p>(2) <b>Infrastructure.</b> The City may establish, plan, build, maintain, regulate, and otherwise provide for public ways and works and any other infrastructure necessary or convenient for its residential and economic development; for the comfort, convenience, health, safety, or welfare of its residents; or for the efficient delivery of municipal services.</p>	
<p>(b) <b>Laws excepting home-rule cities.</b> Whenever a law grants a power or an option to cities generally or to cities of a certain class, but excepts cities having adopted a home-rule charter, the City may nevertheless exercise the power or option if that exercise is not inconsistent with this charter, notwithstanding its having adopted this charter.</p>	<p>No law heretofore passed by the Legislature of the State of Minnesota and expressly made applicable only to cities of the first class having a home-rule charter or governed under a charter adopted pursuant to Section 36, Article 4, or the State Constitution, and in force at the time of the adoption of this Charter, shall apply to the City of Minneapolis or any of its departments, boards or officers, and no such law shall confer or impose upon or vest in the City of Minneapolis or any of its departments, boards or officers any rights, powers, duties, functions, privileges or immunities whatever. [ch. 20, § 3]</p>

<p>(c) <b>Immunity.</b> The City enjoys immunity from suit and liability for any injury resulting from—</p> <p>(1) the defective condition of an ungraded street;</p> <p>(2) the ground’s insufficiency where a sidewalk can go but no sidewalk has been built; and</p> <p>(3) any other act, omission, or condition for which a municipal corporation enjoys immunity at common law or by general or special law.</p>	
<p>(d) <b>Unmentioned powers.</b> This charter’s mention of certain powers does not limit the City’s powers to those mentioned.</p>	
<p>§ 1.5. <b>Enforcement</b></p>	
<p>(a) <b>Liability.</b> An ordinance may impose a duty, and may provide that a violation will result in—</p> <p>(1) a fine;</p>	<p>The City Council may prescribe punishment for the breach of any ordinance of the City to the extent of a fine not exceeding seven hundred dollars (\$700.00), and imprisonment not exceeding ninety (90) days, or both. [ch. 4, § 6]</p>

(2) imprisonment;

The City Council may also provide by ordinance that anyone convicted of an offense before the Municipal Court of Hennepin County subjecting such offender to imprisonment under the ordinances of said City, may be kept at hard labor either in any workhouse established for that purpose, or upon the public improvements of said City, or both; and may also provide by ordinance that anyone convicted of any offense before said Municipal Court, and committed upon nonpayment of fine imposed, may be kept at hard labor either in any workhouse of said City aforesaid; or upon the public improvements, or both, until such person shall work out the amount of such fine, at such rate of compensation as said Council may prescribe, for a time not exceeding said commitment; and the City Council shall have full power to establish by ordinance all needful regulations for the security of such persons thus employed, and to prevent escape and secure proper discipline, and shall have power to establish a proper workhouse in said City or outside thereof for the purpose aforesaid, and under such regulations as said City Council may prescribe. Provided, that the City Council aforesaid is hereby authorized to use the Hennepin County adult corrections facility and/or the Hennepin County adult detention center as the workhouse of the City of Minneapolis provided for in this Charter, the prisoners of the City to be as at present in the custody of the sheriff of Hennepin County, except while working on the improvements of said City, when they shall be under the control of the police force of said City. [ch. 4, § 7]



<p>(3) another penalty;</p> <p>(4) any combination of such penalties;</p>	<p>The City Council shall have full power and authority to make, ordain, publish, enforce, alter, amend or repeal all such ordinances for the government and good order of the City, for the suppression of vice and intemperance, and for the prevention of crime, as it shall deem expedient, and in and by the same to declare and impose penalties and punishments, and enforce the same against any person or persons who may violate the provisions of any ordinance, passed and ordained by it, and all such ordinances are hereby declared to be and to have the force of law. [ch. 4, § 5]</p>
<p>(5) civil liability, including—</p> <p>(A) multiple damages, or</p> <p>(B) a lien against property; or</p>	
<p>(6) forfeiture of office, in the case of an officer who violates an ordinance relating to the office.</p>	<p>Any elective or appointive officer of the City of Minneapolis, or any person employed in the services of the City of Minneapolis, who shall willfully violate or evade any of the provisions of law, or commit any fraud upon the City, or convert any of the public property to his or her own use or knowingly permit any other person to convert it, or by gross or culpable neglect of duty allow the same to be lost to the City, shall be deemed guilty of a misdemeanor and in addition to the penalties imposed by law, and on conviction, shall forfeit the office and be excluded forever after from receiving or holding any office under the Charter of the City of Minneapolis and shall be liable to refund to the City, at the suit of any taxpayer or citizen, any amount lost to said City by reason of any such violation of law. [ch. 2, § 19]</p>

<p>(b) <b>Jurisdiction.</b> Except as this charter or an ordinance provides otherwise, the district court has jurisdiction—</p> <p>(1) over any case arising under this charter or an ordinance, including the prosecution for any violation; and</p>	<p>The District Court of Hennepin County shall have exclusive cognizance and jurisdiction of all suits, prosecutions and proceedings for the recovery of all forfeitures, fines and penalties or inflictions of punishments, for the breach of any city charter provision, regulation or ordinance of said city, and of all offenses against the same. And in all cases of convictions for assaults, batteries and affrays, disorderly conduct, breach of the peace, keeping or frequenting disorderly houses or houses of ill-fame, the District Court of Hennepin County may, in addition to any fine or punishment authorized or imposed, or without such fine or other punishment, compel the accused to give security to keep the peace and be of good behavior . . . . All fines and penalties imposed by said Court (for the violation of any ordinance or regulation of the city) shall belong to and be a part of the revenue of said city. Said court shall also have power in all criminal actions within its jurisdiction, when the punishment is by imprisonment, or by imprisonment in default of payment of fine, to sentence offenders to hard labor in any workhouse established by the city for that purpose, or to sentence them to labor on any public work or improvement, in like manner and under the same qualification as hereinafter provided in cases of offenses against city ordinances. [ch. 11, § 9]</p>
<p>(2) for enforcing any subpoena issued by an officer, board, or commission under this charter who can lawfully compel the attendance or testimony of any witness or the production of any book, document, or thing.</p>	<p><i>The commission may make complaint to the District Court of disobedience of its subpoenas or orders under this section, and the court shall prescribe notice to the person accused and require that the person obey the commission’s subpoenas and order, if found within the lawful powers of the commission, and punish disobedience as a contempt of the court. [ch. 19, § 19]</i></p>
<p style="text-align: center;"><b>Article II Boundaries</b></p>	

<p>§ 2.1. <b>City</b></p>	
<p>The City has the boundaries established under law.</p>	<p>The City of Minneapolis in the County of Hennepin in the State of Minnesota shall continue to be a municipal corporation . . . with the same boundaries as now are or may be hereafter established. [ch. 1, § 1]</p>
<p>§ 2.2. <b>Wards</b></p>	
<p>(a) <b>Number.</b> The City comprises 13 wards, designated by number. If possible, a redistricted ward keeps the number of the former ward from which its population mostly came.</p>	<p>The City shall consist of thirteen Wards [ch. 1, § 3(A)] all newly drawn Wards shall retain the same numerical designation as the then currently existing Ward from which the newly drawn ward received the largest portion of its population. [ch. 1, § 3(A)(3)]</p>
<p>(b) <b>Characteristics.</b> The wards must be as equal in population as practicable. Each ward must—</p>	<p>with as nearly equal population as practicable [ch. 1, § 3(A)]</p>
<p>(1) not have a population more than five percent over or under the mean ward population, according to—</p>	<p>A population quota for each Ward shall be determined by dividing the total population of the City by 13. In no case shall any Ward, when readjusted, have a population more than five percent over or under such population quota. [ch. 1, § 3(A)(1)]</p>
<p>(A) the latest decennial federal census; or</p>	<p>Population shall be determined by use of the official population, as stated by census tracts and blocks in the official United States Census. [ch. 1, § 3(A)(4)]</p>

<p>(B) a special computation or enumeration ordered by the Charter Commission with respect to any particular block or tract, computed or enumerated as of the same time and in the same manner as the latest decennial federal census;</p>	<p>Whenever it is necessary to modify census data in fixing a Ward boundary, the Redistricting Commission may compute the population of any part by use of other pertinent data or may have a special enumeration made of any block or blocks using the standards of the United States Census. If the population of any block or blocks is so determined, the Redistricting Commission may assume that the remainder of the census tract has the remaining population shown by the census. In every such case, the determination of the Redistricting Commission as to population shall be conclusive, unless clearly contrary to the census. [ch. 1, § 3(A)(4)]</p>
<p>(2) consist of a compact, contiguous area, not longer than twice its width, whose boundaries lie wherever possible along the centerline of public ways and, as far as practicable, run due north–south or east–west. A lake, waterway, or other body of water within a ward does not affect these characteristics; and</p>	<p>Each Ward shall consist of contiguous compact territory not more than twice as long as it is wide, provided that the existence of any lake within any Ward shall not be contrary to this provision. Wherever possible, Ward boundary lines shall follow the centerline of streets, avenues, alleys and boulevards and as nearly as practicable, shall run due East and West or North and South. [ch. 1, § 3(A)(2)]</p>
<p>(3) minimize change in existing boundaries, except as necessary in order to effect the foregoing criteria.</p>	<p>The districts should attempt to preserve communities of interest where that can be done in compliance with the preceding standards. [1992 Minn. Laws ch. 362, § 2(4)]</p>
<p><b>Note.</b> This provision comes from a special law that originally applied only to the Park &amp; Recreation Board.</p>	
<p>(c) <b>Redistricting.</b></p>	
<p>(1) <b>Policy.</b> The City must redistrict the wards, as this section 2.2(c) provides,—</p>	<p>Within the time specified in paragraph C hereof the Redistricting Commission shall readjust the boundaries of the Wards in accordance with the following standards [ch. 1, § 3(A)]</p>

(A) after each decennial federal census;	In each year ending in the number two, or whenever the number of Wards is changed, or when required by court order, Redistricting Commission shall be established to draw Ward boundaries. [ch. 1, § 3(B)]
(B) as required by general or special law or by judicial decree; or	
(C) when the number of wards changes,	
and may not otherwise redistrict them.	Whenever Wards have been so readjusted, no further Ward adjustment shall be made until the announcement of the next decennial United States Census. [ch. 1, § 3(C)]  The method herein provided shall be the sole method for readjusting Ward boundaries, and the City Council shall have no power to readjust Ward boundaries except as in this section provided. [ch. 1, § 3(H)]
(2) <b>Commission.</b> For this section 2.2(c)'s purposes, the "Commission" means the Charter Commission.	
(A) <b>Advisory group.</b> The Commission must appoint an advisory group of up to nine eligible voters in the City, who will advise the Commission about redistricting.	The Commission will appoint an Advisory Group of not more than nine members who are eligible voters of the City of Minneapolis. The Advisory Group will be advisory only and will operate in accordance with rules and procedures established by the Commission. [ch. 1, § 3(B)]
(i) <b>Qualifications.</b> Each advisory-group member must be a eligible voter in the City who has not, within the two years of being appointed,—	Applicants shall not currently be, or within two years previous to appointment have been, [ch. 1, § 3(B)]
(l) held any elected public office;	an elected official of municipal, county, state or federal government, [ch. 1, § 3(B)]

<p>(II) appeared on a ballot listing his or her partisan affiliation in any election;</p>	<p>nor a candidate in a primary or general election for a public office for which the ballot indicates a political party designation of candidates, [ch. 1, § 3(B)]</p>
<p>(III) worked as an employee of any political party (as defined by the Minnesota election law); or</p>	<p>nor an employee of a political party, [ch. 1, § 3(B)]</p>
<p>(IV) worked as an employee for the City in any capacity other than as an election judge.</p>	<p>nor an employee of City government. [ch. 1, § 3(B)]</p>
<p>(ii) <b>Application.</b> Each applicant for the advisory group must submit an application to the city clerk on a form that the Commission has approved. The Commission must accept applications for at least 45 days.</p>	<p>Applications for the Advisory Group will be accepted for at least 45 days prior to the appointment of its members by the Commission. The City Clerk will receive all applications to serve on the Advisory Group. The application will include such information as may be specified by the Charter Commission. [ch. 1, § 3(B)]</p>
<p>(iii) <b>Diversity.</b> The Commission must appoint the advisory group with due regard for diversity.</p>	<p>In appointing members to the Advisory Group, the Charter Commission will consider the diversity of its membership. [ch. 1, § 3(B)]</p>

<p>(3) <b>Schedule.</b> Subject to any applicable ordinance, general or special law, or judicial decree:</p> <p>(A) <b>Plan.</b> The Commission must adopt a ward-boundary plan, which includes each ward’s population and boundaries—</p> <p>(i) after a decennial census, on February 1 in the calendar year ending in —2, or after the legislature has been redistricted, whichever is later;</p> <p>(ii) when required by law or judicial decree, as the law or decree provides; or</p> <p>(iii) when the number of wards changes, 60 days after the amendment takes effect (even if the change takes effect later).</p>	<p>At or within the times prescribed by law, the Charter Commission shall adopt a Ward boundary plan in accordance with the standards of paragraph A hereof. [ch. 1, § 3(C)]</p>
<p>(B) <b>Public hearings.</b> The Commission must hold at least four public hearings before adopting a ward-boundary plan, and must hold at least two of those hearings after—</p>	<p>The Commission, with appropriate notice, shall hold at least four public hearings prior to adoption of the plan. At least two of the public hearings shall be for the purpose of reviewing the proposed plan. [ch. 1, § 3(C)]</p>
<p>(i) giving public notice of a draft plan or plans for at least seven days before each hearing; and</p>	<p>A copy of the proposed plan shall be published as a legal notice for the public at least seven (7) days prior to the public hearing on the proposed plan. [ch. 1, § 3(C)]</p>
<p>(ii) inviting comments from each neighborhood organization recognized by the City Council.</p>	<p>Neighborhoods, as delineated by the Planning Department, shall be solicited for their input. [ch. 1, § 3(C)]</p>

<p>(C) <b>Adoption.</b> The Commission adopts a ward-boundary plan by a majority of its membership at a meeting of which it has given public notice. The adopted plan takes effect when the Commission files it with the city clerk.</p>	<p>The plan shall state the boundaries and population of each Ward and shall be deemed completed when approved by a majority of Commissioners voting at a duly called meeting of the Charter Commission and filed with the City Clerk. [ch. 1, § 3(C)]</p>
<p>(D) <b>Applicability.</b> A ward-boundary plan applies to the first general election for which filing opens after the plan takes effect. A plan does not affect the eligibility or term of any incumbent holding office when the plan takes effect, and does not apply to any special election held before the next regular election.</p>	<p>No readjustment of Ward boundaries shall apply to any City election if the adopted plan goes into effect after the first date for filing for such elections. All Council Members, including those who take office as provided in Chapter 2, Section 16 or 16A of this Charter, may complete the term for which they are elected, or appointed notwithstanding changes in Ward boundaries. [ch. 1, § 3(E)]</p>
<p>(4) <b>Funding.</b> The City Council must provide for the staff and other resources that the Commission needs.</p>	<p>The City Council, upon request of the Charter Commission, shall promptly provide funding for such staff and other assistance as the Commission deems necessary to complete its work in a timely manner. [ch. 1, § 3(B)]</p>
<p>(5) <b>Ordinances.</b> The City Council may enact any necessary or prudent ordinance implementing this section 2.2(c). No such ordinance applies to any redistricting process that begins within 30 days.</p>	<p>The City Council shall enact the ordinances necessary to implement this section, provided that redistricting shall be governed by the law in effect on January 1 of the year in which a Redistricting Commission is established. [ch. 1, § 3(F)]</p>
<p>(6) <b>Jurisdiction.</b> The district court enjoys original jurisdiction over any case arising out of redistricting under this section 2.2(c).</p>	<p>The District Court shall exercise original jurisdiction in any matter relating to apportionment in the manner provided by law, and upon application by an appropriate party and after notice and hearing may compel the execution of any action required hereunder. [ch. 1, § 3(E)(1)]</p>
<p>§ 2.3. <b>Park districts</b></p>	



<p>The provisions of the preceding section 2.2 regarding redistricting wards likewise apply as far as possible to redistricting park districts, except as this section 2.3 or a general or special law otherwise provides.</p>	
<p>(a) <b>Number.</b> The City comprises six park districts, designated by number.</p>	<p>There are hereby created six Park and Recreation Districts within the city, [ch. 16, § 1]</p>
<p>If possible, a redistricted park district keeps the number of the former district from which its population mostly came.</p>	<p>To the extent possible, each newly drawn district shall retain the same numerical designation as the previously existing district from which the newly drawn district received the largest portion of its population. [1992 Minn. Laws ch. 362, § 2(3)]</p>

<p>(b) <b>Commission.</b> For this section 2.3’s purposes, the “Commission” means the Charter Commission.</p>	<p>Whenever Ward boundaries within the City are officially changed, but not later than twenty-one (21) days prior to the opening of filings for city office, the Reapportionment Commission shall propose a plan for changing the boundaries of the six (6) Park and Recreation Districts and notify the Park and Recreation Board of the proposed plan. [ch. 16, § 1]</p> <p>Notwithstanding chapter 1, section 3, of the home rule charter of the city of Minneapolis, the Minneapolis park and recreation board may appoint two members to serve on the Minneapolis reapportionment commission to replace the two members of the commission appointed by the majority and minority caucuses of the city council for the purpose of determining the reapportionment of Minneapolis park and recreation districts. The two members appointed by the park and recreation board shall participate with the other appointed members of the reapportionment commission to determine the reapportionment of park board districts. . . . City council appointees shall not sit in considering the reapportionment of park district boundaries. [1992 Minn. Laws ch. 362, § 1]</p>
<p>(c) <b>Park &amp; Recreation Board.</b> Before holding the last two public hearings on any park-district boundary plan, the Commission must notify the Park &amp; Recreation Board of a draft plan or plans. The Commission must consider any recommendation by the Board.</p>	<p>Whenever Ward boundaries within the City are officially changed, but not later than twenty-one (21) days prior to the opening of filings for city office, the Reapportionment Commission shall propose a plan for changing the boundaries of the six (6) Park and Recreation Districts and notify the Park and Recreation Board of the proposed plan. The Park and Recreation Board shall then review the proposed plan and make recommendations to the Reapportionment Commission. The Reapportionment Commission shall consider any recommendations made by the Park and Recreation Board . . . . [ch. 16, § 1]</p>

<p>§ 2.4. <b>Precincts</b></p>	
<p>(a) <b>Precincts, polling places.</b> For the convenient administration of elections, the City Council must divide each ward into precincts and designate a polling place in each precinct. Each precinct must lie wholly within a single ward and park district.</p>	<p>The City Council shall, from time to time as it shall deem necessary, by a resolution adopted at least 90 days previous to the general City election, designate the boundaries of the several election districts of the City, and for that purpose, may divide the several wards into such number of precincts as it may deem necessary; but no election precinct shall cover any territory of more than one (1) ward. The City Council shall also designate the place of holding elections in each precinct. In case the City Council shall neglect or refuse to provide such election precincts and places of holding election as herein provided, and in all cases of special elections, the election precincts and places of holding elections shall continue to be the same as at the general election next preceding said election: Provided, that when it may be necessary to designate any other place for holding a special election than the place where was held the last general election in any precinct, the City Council may so designate some other place in such precinct for holding said special election. [ch. 2, § 7]</p>
<p>(b) <b>Effective date.</b> An act dividing a ward into precincts, or designating a polling place, takes effect after 90 days or at such later time as the act provides. An act designating a new polling place may take effect sooner if the old polling place is unavailable.</p>	
<p>§ 2.5. <b>Annexed territory</b></p>	
<p>Any annexed territory joins the ward and the park district to which it is adjacent or, if adjacent to more than one ward or district, the least populous such ward or district.</p>	<p>In the event any territory shall be annexed to the City, it shall become part of the adjoining Ward. [ch. 1, § 3(C)]</p>
<p>§ 2.6. <b>Special districts</b></p>	

<p>For the more efficient delivery of municipal services in the City and its surroundings, and with a view toward their orderly growth, the City Council may designate any area within three miles of the City’s boundaries as a special district, in which it may—</p> <p>(a) lay out the streets and other infrastructure so that they consistently continue the City’s system;</p> <p>(b) accept or dedicate property for streets or any other public purpose; and</p> <p>(c) plat the district accordingly.</p>	<p>The City Council shall have power to designate by ordinance or resolution such portions of the territory lying adjacent to or outside of the boundary lines of the city as it may deem proper as a city district, and may from time to time extend the limits of such district to include any territory not lying at a greater distance than three (3) miles at any point in direct line from the boundary line of said city, and within said district the City Council shall have control of the laying out of streets and alleys and the acceptance of plats of additions and the dedication of property for streets and public grounds therein, and may require that all streets and alleys laid out or donated within such district shall conform to and be continuous with the system of streets and alleys within said city, and to that end may indicate by survey and plat such streets, alleys, and arrangement and dimensions thereof as in its discretion will be best calculated to meet the wants and conveniences of said city and its surroundings or any future extension thereof. [ch. 8, § 21]</p>
<p><b>Article III Elections</b></p>	
<p>§ 3.1. <b>General provisions</b></p>	

<p>(a) <b>General law applies.</b> Unless it is inconsistent with this charter, the Minnesota election law applies to each municipal election.</p>	<p>and affidavits of candidacy for Mayor and City Council shall otherwise conform with all requirements of the Minnesota general election laws pertaining to affidavits of candidacy for partisan offices. [ch. 2, § 5]</p> <p>All candidates for nomination at any city election shall file their affidavit for such nomination, and pay their fee therefor, in the same manner as provided in the general election laws of the State of Minnesota, [ch. 2, § 13]</p> <p>All general laws of the State of Minnesota relating to primaries and elections and the preliminaries thereto, unless this Charter otherwise specifically provides, shall, so far as applicable, apply and govern all elections under this Charter and the same are hereby adopted and made part of this Charter. [ch. 2, § 15]</p>
<p>(b) <b>Voting method.</b> The voters elect the City’s elected officers by single transferable voting (also known as “ranked-choice voting” or “instant-runoff voting”). The City Council must provide by ordinance the method of counting the votes and of breaking a tie.</p>	<p>The elected officers shall be elected by the method of Single Transferable Vote, sometimes known as Ranked Choice Voting or Instant Runoff Voting. The City Council shall, by ordinance, establish the ballot format and rules for counting the votes. The method shall be used for the first municipal election after adoption and all subsequent elections unless the City Council certifies, by ordinance, no later than four months prior to the election, that the City will not be ready to implement the method in that election. Such certification must include the reasons why the City is not ready to implement the method. [ch. 2, § 5(B)]</p>

<p>(c) <b>Administration.</b> The city clerk administers each election under the City Council’s direction. The clerk must give public notice of the time and place of holding each election at least 15 days before the election.</p>	<p>The City Clerk shall give notice of the time and places of holding general city elections and at the same time and in the same notice give notice of the time and places of holding primary elections, which notice shall be given at least 15 days before the primary election, and unless otherwise specifically provided for in this Charter, the City Clerk shall give 15 days’ notice of the time and places of holding special elections. [ch. 2, § 11]</p> <p>The returns of all elections for City officers, charter amendments and other propositions or elections for any other City purpose, shall be made to the City Clerk, and within two (2) weeks after such election, the City Council shall meet and canvass the returns thereof, and declare the results as it appears from such returns, and the City Clerk shall forthwith give notice to the officers elected of their respective elections. [ch. 2, § 14]</p>
<p>(d) <b>Ballots.</b></p>	
<p>(1) <b>Nonpartisan ballot.</b> The ballot for each elected office is a nonpartisan ballot.</p>	<p>Notwithstanding the provisions of Minnesota Statutes, Section 205.17, subdivision 2, or any other provision of law and except as otherwise provided in this section, the City Primary Election and General Election for Mayor and City Council shall be conducted in the manner provided by law for elections for nonpartisan offices. [ch. 2, § 5]</p>
<p>Each candidate for Mayor or for Council member may state, in up to three words, his or her political party or principle, which will appear on the ballot.</p>	<p>All such candidates shall, however, state the name of their political party or political principle, stated in three words or less, on their affidavits of candidacy [ch. 2, § 5]</p> <p>The political party or political principle shall be placed on the Primary and General Election ballots with the names of the candidates for such offices. [ch. 2, § 5]</p>

<p>(2) <b>Order.</b> The candidates' names must appear on a single ballot, which lists the offices being elected in this order:</p> <p>(A) Mayor;</p> <p>(B) Council member;</p> <p>(C) Board of Estimate &amp; Taxation member;</p> <p>(D) Park &amp; Recreation commissioner at large;</p> <p>(E) Park &amp; Recreation commissioner by district; and</p> <p>(F) Library trustee.</p>	<p>The names of all candidates to be voted on at any general City election, City primary election or special election for City purposes shall be placed on one ballot. Regardless of whether they are contested or uncontested, the offices on the ballot shall be in the following order: Mayor; Council Member; Board of Estimate &amp; Taxation Member; Park and Recreation Commissioner at Large; Park and Recreation Commissioner by District; Library Board Member. [ch. 1, § 9]</p>
<p>§ 3.2. <b>Regular elections</b></p>	
<p>(a) <b>Election years.</b> A regular election occurs in the last calendar year before any elected officer's term expires.</p>	
<p>(b) <b>Regular election.</b> The City holds its regular general election on the uniform municipal election day for which the Minnesota election law provides.</p>	<p>A general city election for the election of city officers shall be held biennially on the first Tuesday after the First Monday in November of each odd-numbered year. [ch. 2, § 4]</p> <p>The municipal general election in each city shall be held on the first Tuesday after the first Monday in November in every even-numbered year. [Minn. Stat. § 205.07]</p>

<p>(c) <b>Schedule.</b> For each regular election, the City Council must provide by ordinance for a filing period of at least 15 days, unless the law provides otherwise. No act scheduling a filing period applies to any election held in the same calendar year.</p>	<p>Prior to January 1st of the election year, the City Council shall fix and determine the opening and closing dates for the filing of candidates for office. The time allowed for the filing of candidates for office shall never be less than 15 days, or as otherwise required by Minnesota law. [ch. 2, § 5]</p>
<p>§ 3.3. <b>Special elections</b></p>	<p>All provisions of this Charter pertaining to special elections shall apply to any special election provided for by this section, except as otherwise specifically provided herein. [ch. 2, § 16]</p>
<p>(a) <b>Elected office.</b> A special election occurs whenever a vacancy occurs in an elected office before the term expires, and this charter does not provide another method of filling the vacancy.</p>	<p>Whenever any vacancy shall occur in the office of Mayor or in the office of any Council Member prior to March 1st of the year of the general City election for the office of Mayor or Council Member, it shall be filled for the unexpired term by a special election ordered by the City Council and held City-wide if the vacancy is in the office of the Mayor or held in the applicable ward if the vacancy is in the office of a Council Member. [ch. 2, § 16]</p>
<p>For each special election, the City Council must provide by ordinance for a filing period of at least eight days.</p>	<p>For the purpose of selecting the candidates to be voted on at such special election, the Council shall fix the dates for filing of candidates for such office which shall be for a period of not less than eight (8) days, and the opening and closing dates for such filing shall be consistent with state law governing special elections. [ch. 2, § 16]</p>
<p>(b) <b>Other special elections.</b> The City Council must schedule a special election as required by law on any question that the voters may lawfully decide, and may schedule any other lawful special election. Unless the law provides otherwise, the Council may schedule such an election in connection with the next regular election. This section 3.3(b) is subject to section 9.4(e).</p>	<p>The City Council may order special elections, when necessary for any purpose, and provide for the holding of the same. [ch. 2, § 10]</p>



<p style="text-align: center;"><b>Article IV City Council</b></p>	
<p>For this charter’s purposes, the “Council” means the City Council for which this article IV provides.</p>	
<p>§ 4.1. <b>Function.</b></p>	
<p>(a) <b>Governing body.</b> The governing body is the City Council, in which the City’s general legislative and policymaking authority resides.</p>	<p>The City Council shall have full power and authority to make, ordain, publish, enforce, alter, amend or repeal all such ordinances for the government and good order of the City, for the suppression of vice and intemperance, and for the prevention of crime, as it shall deem expedient, . . . and all such ordinances are hereby declared to be and to have the force of law. [ch. 4, § 5]</p>
<p>(b) <b>Scope.</b> The Council may act on the City’s behalf in any matter, except where—</p>	
<p>(1) this charter reserves the action for a different board, commission, or committee; or</p>	
<p>(2) the action is inconsistent with this charter or otherwise unlawful.</p>	
<p>(c) <b>Council as statutory board.</b></p>	
<p>(1) <b>Generally.</b> Where the law provides for municipal action through a board or commission, and this charter does not reserve that authority to a board or commission other than the Council, the Council must either—</p>	

<p>(A) itself serve as the board or commission for which the law provides, even if the board or commission is a statutory rather than a municipal agency; or</p>	<p>The Minneapolis City Council shall exercise all powers of the Board of Health as provided by Minnesota Statute Chapter 145A, and those powers enumerated in this chapter. [ch. 14, § 1]</p>
<p>(B) provide by ordinance for the board or commission, in which case—</p>	
<p>(i) the board’s or commission’s membership may (but need not) consist partly or wholly of Council members, and</p>	
<p>(ii) the Council may (but need not) organize the board or commission as a municipal department.</p>	
<p>(2) <b>Board of appeal and equalization.</b> The Council may provide under this section 4.1(c) for a board of appeal and equalization,</p>	<p><i>The Standing Committee on Taxes of the City Council shall constitute a Board of Equalization, who shall be sworn according to law as such Board, and meet at the City Council room in said city each year as prescribed in Minnesota Statutes, Section 274.01, and revise, amend and equalize the assessment on the roll of the City Assessor. It shall be the duty of the City Assessor to be present at all meetings of the said Board of Equalization, or to cause a deputy assessor to be present; and to present before the Board all facts relating to the assessment. Such Board of Equalization is vested with all the powers which are or may be vested in County Boards of Equalization under the general laws of the state so far applicable, but shall not be restricted by any limitation in respect to reducing aggregate sum of real or personal property as returned by the Assessors. [ch. 5, § 3]</i></p>

<p>in which case it may also provide that any such board must return to the Council the assessment rolls that the board has revised, in which case the Council may confirm the board's revisions or return the rolls to the board for further revision.</p>	<p><i>When the assessment rolls shall have been revised by the Board of Equalization, they shall be returned to the City Council, who may confirm the same or return the same to said Board for further revision, to be again reported to the City Council. [ch. 5, § 5]</i></p>
<p>(d) <b>Franchises.</b> The Council may grant and regulate any lawful franchise.</p>	<p>The City Council of the City of Minneapolis is hereby authorized to grant franchises by the passage of ordinances. [ch. 12]</p>
<p>(e) <b>Licenses.</b> The Council may grant a license only if the license expires within one year.</p>	<p>Provided that no license shall be issued for any longer time than one year, and the City Council shall by ordinance determine the date of expiration of all licenses. [ch. 4, § 5]</p>
<p>(f) <b>Liquor licenses.</b> Subject to any other applicable law, the Council may grant a license for the sale of liquor.</p>	
<p>(1) <b>Zoning.</b> The Council may grant a liquor license only in an area zoned for commercial or industrial use, not for residence or office use.</p>	<p>No license as provided herein shall be issued except in such areas of the City as are zoned for commercial or industrial uses. [ch. 4, § 5, 1st part]</p>
	<p>Nothing herein shall authorize the City Council to issue liquor licenses in residence or office residence districts. [ch. 4, § 5, 1st part]</p>
<p>(A) <b>Off-site consumption.</b> If the liquor will not be used or consumed on the premises, then the area for which the license is granted must contain at least five acres.</p>	<p>If such liquor is not to be used or consumed on the premises, then only if said area or district, together with such other areas or districts contiguous thereto wherein such sale would be permitted by ordinance and by law, contains five (5) or more acres. [ch. 4, § 5, part 1st(a)]</p>
<p>(B) <b>On-site consumption.</b> If the liquor will be consumed on the premises, then—</p>	

(i) the area for which the license is granted must contain at least seven acres, and	<p>If such liquor is to be consumed on the premises, then only if said area or district, together with such other areas or districts contiguous thereto wherein such consumption would be permitted by ordinance and by law, contains seven (7) or more acres, and then only if a substantial portion of the income to be derived from business conducted at such location is derived from the sale of food to be consumed on the premises and adequate facilities are provided therefor. The City Council shall, by ordinance, establish suitable and appropriate standards to determine whether a substantial amount of income is derived from the sale of food and to define adequate facilities for the consumption thereof on the premises. [ch. 4, § 5, part 1st(b)]</p>
(ii) the licensed business must, according to standards that the Council establishes by ordinance—	
(I) derive a substantial part of its income from selling food for consumption on the premises, and	
(II) provide adequate facilities for food to be consumed on the premises.	
(C) <b>Calculating acreage.</b> The acreage required under this section 4.1(f)(1) includes any contiguous area in which any applicable ordinance permits the sale of liquor.	
(D) <b>Continuing eligibility.</b> The Council may grant a liquor license without regard to this section 4.1(f)(1)'s requirements for acreage or food consumption if—	<p>A license as described in (a) or in (b) above may be issued notwithstanding the requirement of area or sale of food for a location within the territory where issuance of such a license was permitted by law or by the provisions of this Charter on November 1, 1974, or for a location which at the time of issuance is being used for, or the latest use of which was for the sale of liquor under a similar type license. [ch. 4, § 5, part 1st(c)]</p>
(i) the charter or any other applicable law permitted such a license as of November 1, 1974, or	
(ii) the licensed site's latest use included the sale of liquor under such a license.	

<p>(2) <b>Wine licenses.</b> The Council may grant a license for the on-sale of wine, which may include the on-sale of intoxicating malt beverages, to a restaurant whose gross receipts are at least 70 percent attributable to the sale of food, if the restaurant otherwise qualifies for the license under each applicable law or ordinance.</p>	<p>Except nothing in this Charter shall prohibit the issuance of an on-sale wine license as defined by the pertinent statutes of the State of Minnesota and the City Ordinances of the City of Minneapolis to a restaurant which gross receipts are at least seventy (70) percent attributable to the sale of food and otherwise meets the requirements of state law and city ordinance for said license. Such license may also include the on-sale of intoxicating malt beverages. [ch. 4, § 5, 1st part]</p>
<p>(3) <b>On-site consumption.</b> The Council must by ordinance establish standards so that a business holding a liquor license in an areas smaller than seven acres—</p>	<p>The City Council shall, by ordinance, establish suitable and appropriate standards to assure that a premises exempted from the seven (7) or more acre standard shall neither sell, serve or permit to be consumed any wine, or intoxicating malt beverage, unless the patron orders a meal, nor have a bar or bar area. [ch. 4, § 5, 1st part]</p>
<p>(A) does not sell, serve, or permit to be consumed any wine or intoxicating malt beverage, unless the buyer orders a meal; and</p>	
<p>(B) does not have a bar or bar area.</p>	
<p>(4) <b>Other limits.</b> The Council may by ordinance impose additional limits on granting a liquor license.</p>	<p>Nothing herein shall limit the authority of the City Council to impose by ordinance further restrictions or limitations on the granting of any liquor license. [ch. 4, § 5, 1st part]</p>
<p>(5) <b>Other laws and ordinances apply.</b> All laws and ordinances that otherwise apply to a licensed site remain applicable after the Council has granted a liquor license.</p>	<p>Except as herein provided, all such on-sale and off-sale liquor establishments shall continue to be subject to the pertinent statutes of the State of Minnesota and the City ordinances of the City of Minneapolis. [ch. 4, § 5, 1st part]</p>
<p>§ 4.2. <b>Organization.</b></p>	

<p>(a) <b>Composition.</b> The Council comprises one Council member elected by and from each ward.</p>	<p>members of the City Council (who shall be known as Council Members) . . . The City Council shall consist of one (1) Council Member from each ward to be elected by the voters of the respective wards. [ch. 2, § 1]</p> <p>The Council Members shall constitute the City Council. [ch. 4, § 1]</p>
<p>(b) <b>Term; election.</b> Each Council member’s term is four years. Each ward’s voters elect their Council member in each year following a year whose number is evenly divisible by four.</p>	<p>The terms of office of the Mayor and Council Members shall be for four years commencing on the first business day of January of the year following their election. [ch. 2, § 3]</p>
<p>(c) <b>Council judges elections.</b> The Council judges its members’ elections, for which purpose it may compel the testimony of any witness who may have relevant information, and may compel the production of any relevant book, document, or thing.</p>	<p>The City Council shall be the judge of the election of its own members, and in such cases shall have the power to send for persons and papers. [ch. 4, § 3]</p>
<p>(d) <b>Vacancy.</b></p>	
<p>(1) <b>Early vacancy.</b> When a Council member vacates his or her office before March 1 in the year of the next regular election, the Council must schedule a special election filling the vacancy, held within 75 days after the vacancy occurs.</p>	<p>Whenever any vacancy shall occur . . . in the office of any Council Member prior to March 1st of the year of the general City election for the office of . . . Council Member, it shall be filled for the unexpired term by a special election ordered by the City Council and . . . held in the applicable ward if the vacancy is in the office of a Council Member. The special election shall be held within seventy-five (75) days after such vacancy shall occur. [ch. 2, § 16]</p>
<p>(2) <b>Late vacancy.</b> When a Council member vacates his or her office—</p>	

<p>(A) after March 1 in the year of the next regular election, and</p>	<p>Whenever any vacancy occurs in the office of any Council Member on or after March 1st of the year of the general City election for the office of Council Member, such vacancy shall be filled by the City Council appointing a qualified voter from the ward for which the vacancy exists, to hold office for the remainder of such unexpired term, provided that no such appointment shall be made after the opening date for filing for such position in the next ensuing city primary election. [ch. 2, § 16]</p>
<p>(B) before filing opens for the election,</p>	
<p>—the Council appoints a successor who serves until a member is elected.</p>	
<p>(3) <b>Election after vacancy.</b> When a Council membership is vacant at the time of an election, the elected member takes office upon being elected and qualified, and serves out the unexpired term as well as the term for which he or she was elected.</p>	<p>When a vacancy for Council Member exists on or after the first date for filing, the person elected at the general City election, upon certification of the general City election results, shall fill the position for the remainder of the unexpired term. [ch. 2, § 16]</p>
<p>(e) <b>City clerk.</b></p>	
<p>(1) <b>Election.</b> The City Council elects the city clerk, to whose election section 8.4(b) does not apply.</p>	<p>There shall be a Clerk of said City, styled the "City Clerk," who shall be elected by the City Council. [ch. 3, § 5]</p>
<p>(2) <b>Duties.</b> The city clerk must—</p>	
<p>(A) keep the corporate seal and all municipal papers and records, including (but not limited to) the City Council's proceedings (sec. 4.4(e));</p>	<p>The Clerk shall keep the corporate seal and all the papers and records of the City, and keep a record of the proceedings of the City Council, at whose meetings it shall be the Clerk's duty to attend. [ch. 3, § 5]</p>
<p>(B) administer each election under the City Council's direction (sec. 3.1(c)), and may administer an election for the Minneapolis Public Schools board of education if that board so authorizes;</p>	

<p>(C) provide for each ordinance that the City Council adopts to be promptly codified, and generally review the code of ordinances at least once every five years; and</p>	<p>A copy of the record of any ordinance or resolution heretofore passed and recorded or that may hereafter be passed, certified by the Clerk and verified by the seal of the city, any copy thereof published in the official paper of the city, or printed in the books containing the official proceedings of the City Council, or published in any compilation of ordinances made under direction of the City Council . . . [ch. 4, § 10]</p>
<p>(D) perform any other duties for which this charter or an ordinance provides, or that the Council requests.</p>	
<p>(3) <b>Oaths.</b> The city clerk may administer an oath or affirmation in any proceeding under this charter.</p>	<p>The Clerk shall have power to administer oaths and affirmations and shall perform all other services by law required of clerks of cities or townships, within said City. [ch. 3, § 5]</p>
<p>§ 4.3 <b>Meetings.</b></p>	
<p>(a) <b>Quorum.</b> The Council’s quorum is a simple majority of its membership, disregarding any vacancy. A quorumless meeting may adjourn to a more convenient time, and may take measures to obtain a quorum.</p>	<p>A majority of the Council Members shall constitute a quorum. [ch. 4, § 1]</p>
<p>(b) <b>Majority.</b> The Council ordinarily acts by simple majority of a quorum, disregarding any abstention. Where this charter or a general law, special law, ordinance, rule, or other authority provides for action by a majority of the Council’s membership, it refers to a majority of the members then serving, disregarding any vacancy.</p>	
<p>(c) <b>Organizational meeting.</b> The Council must elect its officers and organize its committees at the first meeting in January following each general election.</p>	



<p>(1) <b>Election.</b> The Council elects or appoints its officers by a majority of its membership.</p>	<p>At the first meeting of the City Council in January of each year after a general municipal election they shall proceed to elect by ballot from their members a President and Vice-President. [ch. 3, § 2A]</p>
<p>(2) <b>President.</b> The Council at its organizational meeting must elect from its membership a presiding officer.</p>	
<p>(d) <b>Regular meetings.</b> The Council's rules must provide for regular and other necessary meetings.</p>	<p>The City Council shall hold stated meetings, [ch. 4, § 2]</p>
<p>(e) <b>Special meetings.</b> The Council's rules may provide for special meetings. The Mayor may call a special meeting by notice to each Council member. A special meeting may transact only the business stated in the notice.</p>	<p>and the Mayor may call special meetings, by notice to each of the members, to be delivered personally or left at their usual places of abode. At such special meeting no other business shall be transacted than such as is designated in the call. [ch. 4, § 2]</p>
<p>(f) <b>Attendance.</b> The Council may compel the attendance of absent members, and may remove or otherwise penalize a member for continued nonattendance, unless there is a good reason for the nonattendance.</p>	<p>The City Council shall . . . have power to compel the attendance of absent members, and may provide for the punishment of such absent members. [ch. 4, § 3]</p> <p>Continued absence from the meetings of the Council in case of Council Members, and neglect of duty in case of other officers, unless for good reason, shall be deemed a good cause of removal. [ch. 4, § 4]</p>
<p>§ 4.4. <b>Proceedings</b></p>	
<p>(a) <b>Vote required.</b></p>	
<p>(1) <b>Rules.</b> The Council at its organizational meeting may by simple majority adopt or amend its rules of order for the conduct of its own business. The Council may thereafter amend its rules by simple majority unless the rules themselves require a supermajority. The Council may decide a question of order under its rules by simple majority.</p>	<p>It shall determine the rules of its own proceedings . . . . [ch. 4, § 3]</p>

<p>(2) <b>Acts.</b> An act by the Council takes a simple majority, except as this charter or the law otherwise provides. For this article IV’s purposes, the noun “act” —</p> <p>(A) means any ordinance, resolution, appropriation, any other lawful action, and any action amending, repealing, or otherwise affecting any such act; but</p> <p>(B) does not include a rule or other vote that relates to the Council’s internal organization or procedure.</p>	
<p>(3) <b>Absolute majority required for certain actions.</b> The Council may take the following action only with a majority of its membership:</p>	
<p>(A) adopt an ordinance or resolution;</p>	<p>All ordinances and resolutions of the City Council shall be passed by an affirmative vote of a majority of all the members of the City Council, [ch. 4, § 9]</p>
<p>(B) appoint or remove an officer under section 8.4(b);</p>	<p>The appointment of such officers shall require the affirmative vote of a majority of all members of the City Council. [ch. 2, § 2]</p> <p>The chief of police may be reappointed by a majority of all members of the city council. [ch. 6, § 1]</p>
<p>(C) appropriate money; and</p>	<p>No appropriation shall be made without a vote of a majority of all the members of the City Council in its favor, [ch. 4, § 11]</p> <p>The City Council shall appropriate funds for the expenses of each department of the City government by resolution passed by a majority of all members thereof. [ch. 5, § 10]</p>

<p>(D) authorize an improvement to a sidewalk subject to a special assessment (sec. 4.4(a)(5)).</p>	
<p>(3) <b>Supermajority required for certain actions.</b> The Council may take the following action only with the prescribed supermajority:</p>	
<p>(A) by two-thirds of its membership, authorize an improvement (other than a sidewalk) subject to a special assessment (sec. 4.4(a)(5));</p>	<p>It shall require a two-thirds vote of the members elect of the City Council to determine in the first instance to make any improvement for which a special assessment may be levied, except in respect to sidewalks, when a majority vote shall suffice. But this restriction shall not apply to any subsequent act of the Council touching such improvement, or the special assessment to provide means therefor. [ch. 10, § 19]</p>
<p>(B) by two-thirds of its membership, regrade a graded street;</p>	<p>may by vote of two-thirds of the members of the Council [to] change the grade of any street after such grade has been established [ch. 8, § 2]</p>
<p>(C) by two-thirds of its membership, sell off realty;</p>	<p>Provided, That no real estate belonging to said City shall be sold unless ordered sold by a vote of two-thirds (2/3) of all the members of the City Council. [ch. 4, § 14]</p>
<p>(D) by two-thirds of its membership, vacate wholly or partly any public way or plat, which power the Council enjoys exclusively;</p>	<p>The City Council may also by a vote of two-thirds of the members thereof vacate any highway, street, lane or alley, or portion of either and such power of vacating highways, streets, lanes and alleys within the City of Minneapolis is vested exclusively in said City Council, and no court or other body, or authority shall have any power to vacate any such highway, street, lane or alley, nor any plat or portion of any plat of lands within said City. [ch. 8, § 3]</p>

<p>(E) by two-thirds of its membership, remit or discharge any judgment in the City's favor;</p>	<p>No penalty or judgment recovered in favor of said city shall be remitted or discharged, except by a vote of two-thirds of the members of the City Council [ch. 11, § 12]</p>
<p>(F) by two-thirds of its membership, pass an act over the Mayor's veto (sec. 4.4(c));</p>	<p>All ordinances, resolutions and other actions of the City Council, except those related to its organization, rules or procedures, shall, before they take effect, be presented to the Mayor, and if (the Mayor) approves thereof, the Mayor shall sign the same, and such as shall not be signed, the Mayor shall return to the City Council, with his or her objections thereto, by depositing the same with the City Clerk, to be presented to the City Council at their next meeting thereafter. Upon the return of any ordinance, resolution or other action of the City Council by the Mayor, the vote by which the same was passed shall be deemed to have been reconsidered, and the question shall be again put upon the passage of the same, notwithstanding the objections of the Mayor, and if upon such vote the City Council shall pass the same by a vote of two-thirds of the members of the Council, it shall have the same effect as if approved by the Mayor. If any ordinance, resolution or other action of the City Council shall not be returned by the Mayor within five days, Sundays excepted, after it shall be presented to the Mayor, the same shall have the same force and effect as if approved by the Mayor. [ch. 3, § 1]</p>
<p>(G) by three-fourths of its membership, authorize a slaughterhouse within the City. No person may operate a slaughterhouse within the City without such authorization; and</p>	<p>Provided, That no slaughter house shall be hereafter located within the City limits without the consent, by an affirmative vote of three-fourths (3/4) of the whole Council. [ch. 4, § 5]</p>

<p>(H) by three-fourths of its membership, authorize an unbudgeted payment out of current funds (sec. 9.2(a)(3)).</p>	<p>The City Council is hereby authorized and empowered to expend for purposes not in this charter otherwise authorized during any fiscal year, moneys out of the current expense fund of said city, provided, that no part of such sum shall be expended except by a resolution adopted by the affirmative vote of at least three-fourths (3/4) of the members of said Council. [ch. 4, § 18]</p>
<p>(5) <b>Improvements.</b> The Council may by a majority of its membership authorize a sidewalk, with or without a special assessment. The Council may, by two-thirds of its membership, authorize any other improvement subject to a special assessment. The Council may by a majority of its membership act with respect to an improvement already authorized or to a special assessment in connection with such an improvement.</p>	<p>It shall require a two-thirds vote of the members elect of the City Council to determine in the first instance to make any improvement for which a special assessment may be levied, except in respect to sidewalks, when a majority vote shall suffice. But this restriction shall not apply to any subsequent act of the Council touching such improvement, or the special assessment to provide means therefor. [ch. 10, § 19]</p>
<p>(b) <b>Ordinances.</b> The Council may adopt an ordinance (including an act amending or repealing an ordinance already adopted) only—</p>	<p>The City Council shall have full power and authority to make, ordain, publish, enforce, alter, amend or repeal all such ordinances for the government and good order of the City, for the suppression of vice and intemperance, and for the prevention of crime, as it shall deem expedient, . . . and all such ordinances are hereby declared to be and to have the force of law. [ch. 4, § 5]</p>
<p>(1) at least one week after its introduction at a meeting;</p>	<p>No ordinance shall be passed at the same session or at any session occurring less than one (1) week after the session at which it shall have had its first (1st) reading, of the Council at which it shall have been presented except by the unanimous consent of all the members present which shall be noted in the record, but this shall not preclude the passage of ordinances reported by any committee of the Council to whom the subject of such ordinance shall have been referred at any previous session. [ch. 4, § 9]</p>
<p>(2) after a report from a committee to which the matter was referred at a Council meeting held at least one week earlier; or</p>	
<p>(3) by unanimous consent.</p>	

<p>(c) <b>Mayor’s signature or veto.</b> The Council must present each act to the Mayor in the manner that this charter prescribes for giving notice. The act takes effect (subject to publication (sec. 4.4(d)), in the case of an ordinance or resolution)—</p>	<p>All ordinances, resolutions and other actions of the City Council, except those related to its organization, rules or procedures, shall, before they take effect, be presented to the Mayor, and if (the Mayor) approves thereof, the Mayor shall sign the same, and such as shall not be signed, the Mayor shall return to the City Council, with his or her objections thereto, by depositing the same with the City Clerk, to be presented to the City Council at their next meeting thereafter. Upon the return of any ordinance, resolution or other action of the City Council by the Mayor, the vote by which the same was passed shall be deemed to have been reconsidered, and the question shall be again put upon the passage of the same, notwithstanding the objections of the Mayor, and if upon such vote the City Council shall pass the same by a vote of two-thirds of the members of the Council, it shall have the same effect as if approved by the Mayor. If any ordinance, resolution or other action of the City Council shall not be returned by the Mayor within five days, Sundays excepted, after it shall be presented to the Mayor, the same shall have the same force and effect as if approved by the Mayor. [ch. 3, § 1]</p>
<p>(1) when the Mayor signs it;</p>	
<p>(2) five days after its presentation to the Mayor, if he or she neither signs nor vetoes it; or</p>	
<p>(3) if the Mayor vetoes it by returning it to the city clerk with an objection within five days (excluding Sundays) after its presentation, only if the Council by two-thirds of its membership again passes the act over the Mayor’s veto.</p>	
<p>(d) <b>Publication.</b> An ordinance or resolution takes effect upon publication in an official newspaper. An act so published—</p> <p>(1) is admissible as evidence,</p> <p>(2) establishes a presumption that the act is valid, and</p> <p>(3) is entitled to judicial notice.</p>	<p>A copy of the record of any ordinance or resolution heretofore passed and recorded or that may hereafter be passed, certified by the Clerk and verified by the seal of the city, any copy thereof published in the official paper of the city, or printed in the books containing the official proceedings of the City Council, or published in any compilation of ordinances made under direction of the City Council, shall be prima facie evidence of the contents of such ordinances and of the regularity and legality of all proceedings relating to the adoption and approval thereof, and shall be admitted as evidence in any Court in this State without further proof. [ch. 4, § 10]</p>

<p>(e) <b>Record.</b> The city clerk must carefully and faithfully record the Council’s and Council committee’s proceedings, including each act adopted and each member’s vote on each such act. The clerk must keep the proceedings on file and available for inspection and copying during normal business hours at the clerk’s office.</p>	<p>All ordinances and resolutions of the City Council shall be passed by an affirmative vote of a majority of all the members of the City Council, by ayes and nays which shall be entered in the records of the Council. [ch. 4, § 9]</p>
<p>§ 4.5. <b>Executive Committee</b></p>	
<p>(a) <b>Function and powers.</b> The Executive Committee enjoys the powers and performs the duties that this charter, or the Council by ordinance or resolution, prescribes.</p>	<p>Further duties of the executive committee shall be only as prescribed by ordinance or resolution of the City Council. [ch. 3, § 4]</p>
<p>(b) <b>Organization.</b> The Executive Committee comprises—</p>	<p>There is hereby established an executive committee consisting of the Mayor, the President of the City Council, and up to three additional members of the City Council to be chosen by the Council; provided, however, that not all of the members of the executive committee shall be of the same political party, unless the Mayor and all of the members of the City Council shall be members of the same political party. . . . It shall be chaired by the Mayor. [ch. 3, § 4]</p>
<p>(1) the Mayor, as chair;</p>	
<p>(2) the Council president; and</p>	
<p>(3) up to three Council members elected by the Council.</p>	
<p>The Committee’s members may not all belong to the same political party unless the Mayor and all the Council members belong to the same political party.</p>	
<p style="text-align: center;"><b>Article V</b> <b>Board of Estimate &amp; Taxation</b></p>	
<p>For this article VI’s purposes, the “Board” means the Board of Estimate &amp; Taxation.</p>	

<p>§ 5.1. <b>Policy</b></p> <p>Through the Board of Estimate &amp; Taxation, the City coordinates in the general interest its various taxes and taxing and borrowing powers.</p>	
<p>§ 5.2. <b>Functions and powers</b></p> <p>(a) <b>General functions and powers.</b> The Board enjoys the powers and performs the duties that this charter prescribes.</p>	
<p>(b) <b>Employment.</b></p> <p>(1) <b>Compensation.</b> The Board may provide for any necessary employees and for their compensation.</p> <p>(2) <b>Unclassified service.</b> The Board may employ in the unclassified service—</p> <p>(A) an executive secretary, and</p> <p>(B) an auditor.</p>	<p>The Board, subject to the provisions of the Civil Service Chapter of this Charter, shall have power to appoint a Secretary and such other employees as it may deem necessary and shall fix their salaries and determine their duties. [ch. 15, § 1]</p>
<p>§ 5.3. <b>Organization</b></p>	
<p>(a) <b>Composition.</b> The Board comprises six members:</p>	
<p>(1) the Mayor;</p>	
<p>(2) the Council president;</p>	
<p>(3) the Council member who chairs the Council committee whose charge includes the budget;</p>	



<p>(4) a commissioner elected by and from the Park &amp; Recreation Board (or, if the Board has not elected a commissioner, the Board’s president); and</p>	<p>There shall be in the City of Minneapolis a Board of Estimate &amp; Taxation, consisting of the Mayor, the President of the City Council, the Chair of the Committee on Ways and Means/Budget of the City Council, an elected member of the Library Board as designated by the board at its annual meeting each year by a majority vote of all of its members, the President of the Board of Park Commissioners or such other member thereof as the Board may designate at its annual meeting each year, and two qualified electors to be elected at large for terms of four years each commencing on the first business day of January following their election. The two elected members shall be elected in 1989 and every four years thereafter at the General Municipal Election. [ch. 15, § 1]</p>
<p>(5) two members elected by the voters in a regular election held in each year following a year whose number is evenly divisible by four.</p>	
<p>(b) <b>Officers.</b> The Board elects, in addition to its president (sec. 5.2(b)), a member as its vice-president.</p>	<p>The Board shall elect a President and a Vice President from its own members. [ch. 15, § 1]</p>
<p>(c) <b>Vacancies.</b> The Mayor and the City Council must, by an appointment under section 8.4(b), fill any vacancy in the office of any member elected to the Board by the voters.</p>	<p>Vacancies occurring in the office of any of the elective members shall be filled for the unexpired term by appointment by the Mayor, subject to the confirmation of the City Council. [ch. 15, § 1]</p>
<p>§ 5.4. <b>Meetings</b></p>	
<p>The Board meets at least monthly.</p>	<p>Meetings shall be held at least once a month and from time to time throughout the year as the business may require. [ch. 15, § 1]</p>

**§ 5.5. Borrowing power**

The Board may, with at least five affirmative votes, borrow against anticipated tax revenues up to half the amount due and not delinquent, which debt is redeemable or otherwise payable not later than the revenue is anticipated.

In lieu of all other methods heretofore provided by this Charter for borrowing money and issuing obligations in anticipation of the collection of general taxes for the year in which issued for the use of the City or any department or board of the City, the City of Minneapolis may borrow money upon negotiable promissory notes or certificates of indebtedness, in the manner and subject to the limitations set forth in this section, for the purpose of anticipating general taxes theretofore levied for City purposes, but the aggregate of such borrowings remaining unpaid at any time shall never exceed fifty (50) per cent of such taxes which are due and payable and as to which no penalty for nonpayment or delinquency has attached. Upon the written recommendation of the City Finance Officer specifying the funds, departments or boards of the City for whom and the purposes for which such moneys are desired, and the amount for each, and by vote of at least five-sevenths (5/7) of its members, the Board of Estimate & Taxation may authorize and effect such borrowing and may issue notes or certificates of indebtedness of the City therefor. Said board shall fix the amount, date, maturity, form, denomination, and other details of such notes or certificates, not inconsistent herewith, and shall fix the date and place for receipt of bids for the purpose thereof and direct its Secretary to give notice thereof. The full faith and credit of the City shall be pledged to the payment of such notes or certificates. They shall mature not later than the anticipated date of receipt by the City of the taxes so anticipated. Interest to maturity may be paid by discounting such notes or certificates on their issuance, or they may be sold at not less than par, with interest payable at maturity, or bids may be called for on both bases. If such notes or certificates be not paid when due, they

	<p>shall bear interest after maturity until paid at the rate they bore before maturity or at which they were discounted. [ch. 15, § 12]</p>
<p><b>§ 6.6. Taxing power</b></p> <p>Subject to article IX, the Board may tax the taxable property in the City for its own purposes as provided by law.</p>	<p>The Board, subject to the provisions of the Civil Service Chapter of this Charter, shall have power to appoint a Secretary and such other employees as it may deem necessary and shall fix their salaries and determine their duties. [ch. 15, § 1]</p> <p>The Board of Estimate &amp; Taxation shall have the power to levy for its own expenses upon all the taxable property of the city, real and personal, a tax not exceeding one-fifteenth of a mill upon the taxable property of the city, and cause such levy to be certified to the County Auditor and the County Auditor shall include the same with and as part of the general taxes for state, city and county purposes, to be collected and enforced therewith together with like penalties, interest and costs, and the County Treasurer upon collection shall transmit the proceeds of such levy to the City Finance Officer, to be placed in the Board of Estimate &amp; Taxation fund. All expenditures to be paid from such funds shall be approved by the board. [ch. 15, § 3]</p>
<p style="text-align: center;"><b>Article VI</b> <b>Park &amp; Recreation Board</b></p>	
<p>For this article VI's purposes, the "Board" means the Park &amp; Recreation Board.</p>	
<p><b>§ 6.1. Policy</b></p> <p>Through the Park &amp; Recreation Board, the City provides for parks, parkways, and recreational opportunities for its current and future residents' use. The Board may likewise provide for service for nonresidents.</p>	

<p>§ 6.2. <b>Functions and powers</b></p>	
<p>(a) <b>General function and powers.</b></p> <p>(1) <b>Charter powers.</b> The Board establishes, governs, administers, and maintains, and may design, develop, and improve—</p> <p>(A) the parks, parkways, and recreational opportunities in and adjacent to the City;</p> <p>(B) each lake, waterway, or other body of water in the park system;</p> <p>(C) the ornamental and shade trees in the City’s streets, alleys, and public grounds and ways; and</p> <p>(D) any gallery, museum, or school in the park system.</p>	<p>All funds, property, or other assets, all obligations and liabilities of any nature, and all ordinances, regulations and actions of all kinds and all powers, duties and privileges heretofore provided by statute or by this Charter for the Board of Park Commissioners of the City of Minneapolis shall in all respects be those of the Park and Recreation Board of the City of Minneapolis. [ch. 16, § 1]</p> <p>The Park and Recreation Board of the City of Minneapolis and its successors shall have the power and it shall be its duty to devise, adopt and maintain parks and parkways in and adjacent to the City of Minneapolis, and from time to time to add thereto; to designate lands and grounds to be used and appropriated for such purpose; to cause the same to be platted, surveyed, and plats thereof filed in the office of the Secretary of said Board, and in the office of the City Engineer of the City of Minneapolis; and the right to take possession upon obtaining title to the same or any part thereof, to hold, improve, govern and administer the same for such purposes. [ch. 16, § 2]</p> <p>All parkways which have been or which may be acquired in or adjacent to the City of Minneapolis shall be subject to the control and government of the Park and Recreation Board of said city, in respect to the construction, maintenance, regulation and government thereof; and to the use, travel and traffic over and upon the same; [ch. 16, § 15]</p>

<p>(2) <b>Other powers.</b> The Board also enjoys all the powers for which any general law, special law, or ordinance provides, including any power necessary and proper for exercising its enumerated powers or for performing its lawful functions.</p>	
<p>(3) <b>General powers.</b> When exercising its powers under this charter, the Board may act on the City’s behalf and enjoys all powers necessary and proper for the exercise of its function under this charter, including (but not limited to)—</p> <p>(A) eminent domain;</p> <p>(B) power over public ways that pass through, over, or adjacent to property that it owns or governs, including the power to open, improve, or vacate a public way;</p> <p>(C) power over the shores and waterways adjacent to any lake, waterway, or other body of water that it owns or governs, including exclusive power over any lake, waterway, or other body of water whose shore it entirely owns.</p>	<p>The Park and Recreation Board shall have power, and it is hereby authorized to condemn for the use of said city, any tract or tracts, parcel or parcels of land, or any interest therein, which it may have designated as hereinbefore provided in the second (2) section of this Chapter; and when such condemnation shall have been completed and the land paid for as herein provided, the title to such land shall pass, and be vested in fee simple in the said city. [ch. 16, § 3]</p> <p>All parkways which have been or which may be acquired in or adjacent to the City of Minneapolis shall be subject to the control and government of the Park and Recreation Board of said city, in respect to the construction, maintenance, regulation and government thereof; and to the use, travel and traffic over and upon the same; [ch. 16, § 15]</p> <p>It shall be lawful for said Park and Recreation Board to vacate and close up any and all public roads and highways excepting railroads which may pass through, divide or separate any lands selected or appropriated by it for the purpose of parks, and no such road, highway nor any railroad shall be laid out through said parks or any of them, except such as the said Park and Recreation Board shall itself lay out and construct or shall consent to. [ch. 16, § 8]</p>

	<p>Whenever the title shall have been acquired for the purpose of this Chapter, to the land constituting the shore or shores of any stream of water, lake or pond, said Board may regulate and control the use of such shore or shores and the water contiguous thereto, and in case such ownership shall embrace the entire shore or any such lake or pond, said Board is hereby empowered to take any and have exclusive charge and control of the waters of said lake, and may in all things regulate and govern the use of such waters and may prescribe penalties for the violation of such rules and ordinances as it may adopt for that purpose; provided, that said Board shall not prohibit the use of sail or row boats on such waters. [ch. 16, § 11]</p>
<p>(4) <b>Powers beyond City’s boundaries.</b> The Board may exercise all the same powers and functions with respect to any park, parkway, or other property that it owns or governs outside the City as with respect to the parks and parkways inside the City.</p>	<p>The said Park and Recreation Board may acquire by gift, lands without the corporate limits of said city for the purpose of continuing or completing any system of parkways within said limits, and shall possess the same powers and jurisdiction over said parkways as if they were wholly within the city limits. [ch. 16, § 15]</p>
<p>(b) <b>Status.</b> The Board is a unique department of the City and, in the exercise of its general functions and specially defined powers, may, on the City’s behalf—</p>	<p>The Park and Recreation Board of the City of Minneapolis and its successors, shall be a department of the government of said City and shall be the successor to and a continuation of the Board of Park Commissioners of the City of Minneapolis, and shall consist of nine commissioners. All funds, property, or other assets, all obligations and liabilities of any nature, and all ordinances, regulations and actions of all kinds and all powers, duties and privileges heretofore provided by statute or by this Charter for the Board of Park Commissioners of the City of Minneapolis shall in all respects be those of the Park and Recreation Board of the City of Minneapolis. [ch. 16, § 1]</p>

<p>(1) adopt a seal;</p>	<p>Said Park and Recreation Board shall have a common seal, and shall be capable of entering into, making, performing and enforcing contracts in the name of, and in behalf of the City of Minneapolis, to carry out the purposes expressed in this Chapter. [ch. 16, § 1]</p>
<p>(2) make contracts;</p>	
<p>(3) buy and sell property;</p>	<p>The said Park and Recreation Board, and their successors, shall have power, and it is hereby authorized, to obtain title for and in the name of the City of Minneapolis, to any lands so designated by it for the purpose of this Chapter, by gift, devise, purchase or lease. [ch. 16, § 2]</p> <p>And said Board may enter into any contract in the name of said city, for the purchase of any lands to be paid for in such time, or times, and in such manner as the Board may agree to; and said Board may accept title to lands and give back a mortgage or mortgages in the name of said city, with or without bonds to secure the unpaid purchase price. Provided, that no personal or general liability on the part of said city shall be created by any such contract, or mortgage, or bond beyond the means at the time available therefor, except the liability to pay such amount as may be realized from benefits assessed on benefited property on account of the lands included in such contract or mortgage. [ch. 16, § 2]</p>
<p>(4) accept and administer, invest, or otherwise dispose of gifts; and</p>	<p>said Board shall have power to accept and receive donations of money, property or lands, for the use of the said city for the purposes contemplated in this Chapter. [ch. 16, § 2]</p>

	<p>The Park and Recreation Board is authorized to receive and accept in the name of the city, any gift or devise of land or buildings to be used for a public park, museum, gallery, or school of arts or crafts, or for the construction, equipment, improvement, maintenance or use thereof, or for any one or more of such purposes, with the right reserved by the donor or devisor to the free and exclusive occupancy, management, control and use of any such building by any incorporated society of this state organized for the general purposes of fostering and promoting educational, artistic and scientific interests, or some one or more of them, and not for any purposes of pecuniary gain or profit to any of its members, and upon such other conditions, but subject to such regulations and restrictions, as shall be approved by such Park and Recreation Board.</p> <p>The Board may likewise accept gifts and bequests of money and other personal property to be used for any of the purposes aforesaid. [ch. 16, § 7]</p>
<p>(5) exercise any other lawful power for which this charter provides.</p>	



(c) **Ordinances.** The Board may enact any necessary or prudent ordinance within this article VI's purposes. Such an ordinance may provide for a fine, imprisonment, other penalty, or any combination of such penalties for its violation, in which case the city attorney prosecutes any such violation. Any resulting fine or other monetary penalty goes to the park & recreation fund.

It shall make and publish from time to time, rules, ordinances and regulations for the government of its officers, agents, servants, and employees, and for the government and regulation of the parks and parkways, which may be required under and pursuant to the provisions of this Chapter. [ch. 16, § 1]

Said Board shall have power to regulate the use of parks and parkways acquired in the name of the City, whether within or without the corporate boundaries, and may adopt ordinances to acquire and secure the quiet, orderly and suitable use and enjoyment of such parks and parkways by the people, and fix and ordain penalties for the violation thereof, which ordinances shall take effect from and after the publication thereof in the official newspaper of the City. The penalty for such violation may include fines . . . or confinement . . . , or both, and the same shall be enforced by prosecution, as in the case of other ordinances of said City. [ch. 16, § 14]

(d) **Park museum.** The Board has accepted a gift of property for the benefit of a park, museum, gallery, or school of arts and crafts, which a donor-designated nonprofit organization administers according to the terms under which the gift was accepted and according to any agreements with the Board. The Board must annually levy a tax on property in Hennepin County, as provided by law, whose proceeds go to a fund that pays for the park, museum, gallery, or school, and may not be diverted for any other purpose.

After the acquirement of any such museum, gallery, or school of arts or crafts as aforesaid, there shall be annually levied and it shall be the duty of such Park and Recreation Board to cause to be included in the annual tax levy, upon all the taxable property of the city, a tax of one-eighth ( $1/8$ ) of one mill upon each dollar of the assessed valuation of property in this city subject to taxation, and such board shall certify such levy to the Auditor of the County of Hennepin, and the same shall be added to, and collected with and as part of the general real and personal property taxes with like penalties and interests, in case of nonpayment and default, and all provisions of law in respect to the levy, collection and enforcement of other taxes shall, so far as applicable, be followed in respect to such taxes. All of said taxes, penalties and interest, when collected, shall be paid to the City Comptroller-Treasurer [Finance Officer], and shall be credited to a fund to be known and denominated as the "Park Museum Fund," and shall be used for the purposes specified in this Section 7, and for no other purpose. Any part of the proceeds of such levy not expended for the purposes specified in this paragraph may be used for the erection of new buildings for the same purposes. The Park and Recreation Board may, by ordinance, provide for the payment of all current bills incurred by it, or under its authority, for goods, wares and merchandise, without awaiting the formal vote of such Board directing payment thereof. [ch. 16, § 7]

<p>(e) <b>Park police.</b> The Mayor must appoint as many police officers for the parks and parkways as the Board requests. The Board must pay for such police out of the park &amp; recreation fund, may regulate and direct them, and may discipline or discharge them (subject to the Civil Service Commission’s rules).</p>	<p>The Mayor of the City of Minneapolis shall, upon request of the Park and Recreation Board, and subject to the provisions of the Civil Service Chapter of this Charter, appoint as police officers such persons as such Board may request; and which police officers shall be under the control and direction of said Board, and may be discharged by said Board subject to the provisions of said Civil Service Chapter, and said Board shall provide for the payment of such police officers out of the park funds. [ch. 16, § 14]</p>
<p>(f) <b>Realty.</b></p>	
<p>(1) <b>Supermajority required for certain actions.</b> The Board may dedicate, buy, lease, or name or rename realty with at least six affirmative votes.</p>	<p>but no action of said Board, designating or purchasing or leasing lands, . . . shall be valid unless voted for by six (6) members of said Board; [ch. 16, § 1]</p>
<p>(2) <b>Acquiring realty.</b> The Board may acquire realty—  (A) by purchase, contract, or mortgage, and</p>	<p>The said Park and Recreation Board, and their successors, shall have power, and it is hereby authorized, to obtain title for and in the name of the City of Minneapolis, to any lands so designated by it for the purpose of this Chapter, by gift, devise, purchase or lease. [ch. 16, § 2]</p>
<p>(B) by assessing the benefited property, in which case the Board must identify the property benefited and determine the appropriate assessment.</p>	<p>As soon as the amount required for the purchase and condemnation of the land selected for any park or parkway, or park purposes, shall have been ascertained by said Park and Recreation Board with reasonable certainty, it shall determine what percentage, if any, of the amount so ascertained shall be assessed upon the lands benefited by said park or parkway . . . . [ch. 16, § 4]</p>

(3) **Mortgages.** The Board may issue or give back a mortgage, with or without bonds securing the unpaid purchase price, that evidences its indebtedness for any such realty.

And said Board may enter into any contract in the name of said city, for the purchase of any lands to be paid for in such time, or times, and in such manner as the Board may agree to; and said Board may accept title to lands and give back a mortgage or mortgages in the name of said city, with or without bonds to secure the unpaid purchase price. Provided, that no personal or general liability on the part of said city shall be created by any such contract, or mortgage, or bond beyond the means at the time available therefor, except the liability to pay such amount as may be realized from benefits assessed on benefited property on account of the lands included in such contract or mortgage. [ch. 16, § 2]

And it is hereby made the duty of said Board to pay on each such contract or mortgage an amount equal to the sum or sums so realized from such assessments; and said Board shall have power to accept and receive donations of money, property or lands, for the use of the said city for the purposes contemplated in this Chapter. [ch. 16, § 2]

<p>(4) <b>Selling realty.</b> The Board may sell realty only if it has abandoned the realty, and the district court approves the sale.</p>	<p>Whenever the title to any piece or parcel of real estate that has been or may hereafter be, acquired under the provisions of this Chapter, either by purchase or condemnation and the proceedings for the establishment of a particular park or parkways, of which said piece of land, or parcel of land, was designated to form a part has been, or may hereafter be, abandoned by said Board, as by this Chapter authorized, in consequence of which abandonment said piece of parcel of land has or may become unavailable as a part of said park system, such lands may be sold and conveyed by deed executed in the name of said City by the President and Secretary of said Board, at such price and upon such term as said Board may direct or approve. No such sale shall be valid, however, unless authorized by the District Court of Hennepin County by its order describing the premises to be sold and entered upon the petition of such Board, after hearing of all interested parties upon such notice by publication or otherwise, as such court may prescribe. And such District Court is hereby empowered to make and enforce all such orders, judgments and decrees as it may deem proper in the premises and such conveyances so authorized and executed shall vest in the guarantee all right, title and interest of the City of Minneapolis in such lands acquired by such condemnation or purchase. [ch. 16, § 13]</p>
<p>(g) <b>Compensation.</b> The Board may provide for the commissioners' compensation.</p>	<p>[1988 Minn. Laws ch. 574]</p>

<p>(h) <b>Employment.</b></p> <p>(1) <b>Employment and compensation.</b> The Board may provide for any necessary employees and for their compensation, may regulate and direct them, and may discipline or discharge them (subject to the Civil Service Commission’s rules, in the case of an employee in the classified service).</p>	<p>The Park and Recreation Board shall be authorized to employ and dismiss, subject to the provisions of the Civil Service Chapter of this Charter, such attorneys, surveyors, agents and employees as may be necessary, and to fix the compensation of all its appointees and employees, which shall be payable from the fund hereinafter established for the purpose of this Chapter, upon the order of said Board, countersigned by the City Comptroller-Treasurer [Finance Officer]. [ch. 16, § 1]</p>
<p>(2) <b>Unclassified service.</b> The Board may employ in the unclassified service—</p> <p>(A) the superintendent,</p> <p>(B) its attorney,</p> <p>(C) the park police chief,</p> <p>(D) a landscape architect, and</p> <p>(E) any officer or other employee for whose unclassified status this charter or a general or special law provides.</p>	<p>The powers of the commission shall extend only to the classified service which shall embrace the entire service of the City except the following officers, and employees, which shall be known as the "unclassified service", namely: . . . the Attorney of the Park Board; . . . the Superintendent of Parks; a landscape architect; a Chief of Park Police . . . [ch. 19, § 4]</p>
<p>(3) <b>Other agents.</b> The Board may employ any necessary contractor or other agent.</p>	<p>The Park and Recreation Board shall be authorized to employ and dismiss, subject to the provisions of the Civil Service Chapter of this Charter, such attorneys, surveyors, agents and employees as may be necessary, and to fix the compensation of all its appointees and employees, which shall be payable from the fund hereinafter established for the purpose of this Chapter, upon the order of said Board, countersigned by the City Comptroller-Treasurer [Finance Officer]. [ch. 16, § 1]</p>

(i) **Purchases.** The Board may buy supplies for the recreational and eating facilities under its charge without going through the City's purchasing department.

The City Council is hereby authorized and empowered and shall at all times hereafter have the power and authority to establish and maintain a purchasing department as a branch of the city government, which department shall have full charge of the purchase by the city and the several boards of the city of all supplies and materials required for the use of the city and the several departments and boards of the city, including the Board of Education, Board of Park Commissioners [Park and Recreation Board] and Library Board, of the city, and for making and maintaining public works and improvements of the city, excepting from the provisions of this section the purchase of books, periodicals, pamphlets, works of art and other like supplies for the library board and art museum of the city, and the purchase of supplies for the use of the Board of Park Commissioners [Park and Recreation Board] of the city at its several refectories and places of amusement . . . [ch. 4, § 19]

<p>(j) <b>Mayor’s signature or veto.</b> The Board must present each ordinance, resolution, or other act (except rules of order for the conduct of its own business) to the Mayor in the manner that this charter prescribes for giving notice. The act takes effect—</p> <p>(A) when the Mayor signs it;</p> <p>(B) five days after its presentation to the Mayor, if he or she neither signs nor vetoes it; or</p> <p>(C) if the Mayor vetoes it by returning it to the Board with an objection within five days (excluding Sundays) after its presentation, only if the Board by two-thirds of its membership again passes the act over the Mayor’s veto.</p>	<p>All ordinances, resolutions, and other actions of the Park and Recreation Board, except those related to its organization, rules or procedures, shall, before they take effect, be presented to the Mayor, and if the Mayor approves thereof, the Mayor shall sign the same, and such as shall not be signed, the Mayor shall return to the Board, with his or her objections thereto, by depositing the same with the secretary of the Board, to be presented to the Board at their next meeting thereafter. Upon the return of any ordinance, resolution, or other action of the Board by the Mayor, the vote by which the same was passed shall be deemed to have been reconsidered, and the question shall be again put upon the passage of the same, notwithstanding the objections of the Mayor, and if upon such vote the Board shall pass the same by a vote of two-thirds of the members of the Board, it shall have the same effect as if approved by the Mayor. If any ordinance, resolution, or other action of the Board shall not be returned by the Mayor within five (5) days, Sundays excepted, after it shall be presented to the Mayor, the same shall have the same force and effect as if approved by the Mayor. [ch. 3, § 1]</p>
<p>§ 6.3. <b>Organization.</b></p>	
<p>(a) <b>Composition.</b> The Board comprises nine commissioners:</p>	<p>The Park and Recreation Board of the City of Minneapolis and its successors, shall be a department of the government of said City and shall be the successor to and a continuation of the Board of Park Commissioners of the City of Minneapolis, and shall consist of nine commissioners. [ch. 16, § 1]</p>
<p>(1) three commissioners at large, and</p>	
<p>(2) six commissioners elected by district.</p>	
<p>(b) <b>Removal.</b></p>	



<p>(1) <b>Petition.</b> On a petition sworn by at least 10 residents, the district court, after notice and hearing, may remove any commissioner for malfeasance or misdemeanor in office.</p>	<p>Any Commissioner may be removed from office by the District Court of Hennepin County, after trial and conviction, upon the petition with sworn charges presented by not less than ten (10) reputable freeholders of said city, if it shall appear at the trial that such Commissioner has been guilty of misdemeanor, or malfeasance in office. [ch. 16, § 1]</p> <p>Upon the presentation of such petition to one of the Judges of said Court the Judge shall issue an order returnable before such Judge, or the Court, requiring such Commissioner to appear and show cause why the removal from office should not take place and upon the return of such order the Court or Judge shall direct the method of hearing and procedure. [ch. 16, § 1]</p>
<p>(2) <b>Nonattendance.</b> The Board may remove any commissioner absent from its meetings for 90 days.</p>	<p>The office of any Commissioner under this Chapter who shall not attend meetings of the Board for three (3) successive months after having been duly notified of said meetings, without reasons satisfactory to the Board, or without leave of absence, from said Board, may by said Board be declared and thereupon shall become vacant. [ch. 16, § 1]</p>
<p>(c) <b>Vacancies.</b> The Board, by a majority of at least six commissioners, may fill any vacancy in its membership.</p>	<p>Whenever a vacancy may occur in the office of an elected Commissioner, it shall be filled by the Board. [ch. 16, § 1]</p> <p>but no action of said Board . . . filling vacancies in the Park and Recreation Board, shall be valid unless voted for by six (6) members of said Board; [ch. 16, § 1]</p>
	<p>The said Park and Recreation Board shall elect annually . . . a Secretary who shall not be a member of said Board. [ch. 16, § 1]</p>

<p>(d) <b>Secretary.</b> The Board elects a secretary who does not serve on the Board. The secretary may administer an oath or affirmation in any proceeding under this article VI.</p>	<p>Said Secretary shall have power and is hereby authorized to administer oaths in all proceedings under this chapter and incident thereto. [ch. 16, § 1]</p>
<p>(e) <b>Attorney.</b> The Board may appoint its own attorney at law.</p>	<p>The above named boards shall in no case employ, retain or pay any attorney for legal services in their boards or departments, and it is hereby made the duty of said boards and each of them, whenever the advice, opinion or services of an attorney are required, to call upon the City Attorney for such advice, opinion or services, and the same shall be given by the City Attorney or by an assistant designated by the City Attorney. Provided, that the provisions of this section shall not apply to the Board of Park Commissioners of the City of Minneapolis. [ch. 3, § 7]</p>
<p>§ 6.4. <b>Meetings</b></p>	
<p>(a) <b>Quorum.</b> The Board’s quorum is a simple majority of its membership, disregarding any vacancy. A quorumless meeting may adjourn to a more convenient time, and may take measures to obtain a quorum.</p>	<p>A majority of the members of said Board shall constitute a quorum; [ch. 16, § 1]</p>
<p>(b) <b>Majority.</b> The Board ordinarily acts by simple majority of a quorum, disregarding any abstention. Where this charter or a general law, special law, ordinance, rule, or other authority provides for action by a majority of the board’s membership, it refers to a majority of the board’s members then serving, disregarding any vacancy.</p>	
<p>(c) <b>Rules.</b> The Board may adopt rules of order for the conduct of its own business.</p>	<p>The said Park and Recreation Board shall make rules to govern its proceedings . . . . [ch. 16, § 1]</p>

<p>(d) <b>Organizational meeting.</b> The Board must annually hold an organizational meeting on the first weekday in January that is not a holiday.</p>	<p>The said Park and Recreation Board shall elect annually from their own number a President and a Vice President, and shall appoint annually a Secretary who shall not be a member of said Board. And said officers shall hold their respective offices until their successors are elected and qualified.</p>
<p>(1) <b>Election.</b> The Board elects or appoints its officers by a majority of its membership.</p>	<p>The said election shall be held on the first business day in January of each year, and whenever vacancies shall occur in said offices, they shall be at once filled in like manner for the unexpired term. [ch. 16, § 1]</p>
<p>(2) <b>President.</b> The Board at its organizational meeting must elect from its membership a presiding officer.</p>	<p>The said election shall be held on the first business day in January of each year, and whenever vacancies shall occur in said offices, they shall be at once filled in like manner for the unexpired term. [ch. 16, § 1]</p>
<p>(e) <b>Special meetings.</b> The Mayor may call a special meeting by notice to each member. A special meeting may transact only the business stated in the notice.</p>	<p>The Mayor may call special meetings of the Park and Recreation Board by notice to each of the members, to be delivered personally or left at their usual places of abode. At such special meeting no other business shall be transacted than such as is designated in the call. [ch. 3, § 1]</p>
<p>(f) <b>Record.</b> The secretary must carefully and faithfully record the Board's proceedings, including each act adopted and each member's vote on each such act, which the secretary must promptly file in the Board's office. The secretary must keep the Board's proceedings on file and available for inspection and copying by any voter during normal business hours at the Board's office.</p>	<p>. . . and a record of its proceedings shall be kept . . . [ch. 16, § 1]</p>

<p>(g) <b>Acts.</b> For this article VI’s purposes, the noun “act”—</p> <p>(1) means any ordinance, resolution, appropriation, any other lawful action, and any action amending, repealing, or otherwise affecting any such act; but</p> <p>(2) does not include a rule or other vote that relates to the Board’s internal organization or procedure.</p>	
<p>§ 6.5. <b>Finances</b></p>	
<p>(a) <b>Taxing power.</b></p>	
<p>(1) <b>Charter powers.</b> Subject to article IX’s provisions, the Board may tax the taxable property in the City—</p>	
<p>(A) to improve and rehabilitate parks, and to maintain parkways;</p>	<p>The said Park and Recreation Board shall annually, on or before the tenth (10th) day of October in each year, transmit to the Auditor of Hennepin County an estimate in writing of the amount of money necessary for the payment of interest on bonds issued by said Board, and that will be required for the acquiring, equipping, improving, maintaining, operating and governing parks, parkways, playgrounds and other recreational facilities and conducting recreational programs for the public use during the succeeding year; which amount shall not exceed what will be raised by a tax of six (6) mills upon each dollar of valuation of the taxable property in said City, nor shall such tax in any year exceed the maximum fixed therefor by the Board of Estimate &amp; Taxation; . . . and shall constitute a special fund to be known and denominated the “Park and Recreation Fund.” [ch. 16, § 6]</p>
<p>(B) to acquire, equip, maintain, improve, and govern the parks, parkways, and playgrounds and other recreational facilities;</p>	
<p>(C) to conduct recreational programs for the public;</p>	

<p>(D) to plant, care for, maintain, and remove trees and shrubs; and</p>	<p>The said Park and Recreation Board in addition to all other power and authority, is hereby authorized and empowered, and it shall be its duty to levy annually upon all the property, real and personal, a tax not exceeding 1/20 of a mill upon each dollar of the assessed valuation of this City, for the purpose of protecting, caring for, replacing and maintaining the shade and ornamental trees and shrubbery in the streets and avenues of the City. Provided, however, that grants and real estate mentioned shall be subject only to the levy and collection of taxes now or hereafter provided by law, and provided, further, that the rate of such levy shall not exceed the maximum fixed by the Board of Estimate &amp; Taxation in any year. [ch. 16, § 6]</p>
<p>(E) to control pollution in lakes.</p>	<p>[1971 Minn. Laws ch. 493]</p>
<p>(2) <b>Other taxing powers.</b> The Board may otherwise tax as provided by law.</p>	
<p>(3) <b>Maximum.</b> The Board's taxing power is subject to the maximum set under section 9.3(a)(4), except as this charter or any applicable law otherwise provides.</p>	
<p>(4) <b>Accounting.</b> The city finance officer must deposit any money levied under this section 6.5(a) in an appropriate fund or funds upon which the Board can draw. No money may be paid out of any such fund except pursuant to a warrant signed by the Board's president and secretary and countersigned by the finance officer.</p>	<p>. . . the said sum of money, together with all other moneys provided for the purposes aforesaid, shall be placed by the City Comptroller-Treasurer [Finance Officer] of the City of Minneapolis to the credit of said Park and Recreation Board, and shall be drawn by said Board from the City Treasury by warrant signed by the President and Secretary of the Board, countersigned by the City Comptroller-Treasurer [Finance Officer] and in no other way; and shall constitute a special fund to be known and denominated the "Park and Recreation Fund." [ch. 16, § 6]</p>

(b) **Borrowing power.** The Board, with at least six affirmative votes, may borrow an amount on which the annual interest does not exceed \$50,000, for up to 50 years, with the debt secured by the parks and parkways.

For the cost of acquiring a title to lands for said parks and parkways, the said Park and Recreation Board shall have power to borrow, from time to time, for such times as it shall think expedient, not exceeding fifty (50) years, a sum of money the annual interest upon which for all the moneys so borrowed including the sums heretofore borrowed shall not exceed thirty-five thousand dollars (\$35,000.00), and for that purpose shall have authority to issue bonds of the City of Minneapolis, to be denominated "park bonds," secured upon said parks and the improvements thereon . . . . And for the payment of the principal and interest of said bonds, and said parks and improvements thereon shall be irrevocably pledged with a first lien thereon, and the city of Minneapolis shall be irrevocably bound; provided, that all lands shall be first subject to the unpaid purchase price thereof; and said bonds may be sold by said Park and Recreation Board, upon such terms and for such prices as in its judgment are the best that can be obtained for the same. [ch. 16, § 5]

§ 6.6. **Parkways**

<p>(a) <b>Jurisdiction.</b> The Board has the same power and jurisdiction to establish, improve, modify, discontinue, or vacate parkways that the City has over city streets.</p>	<p>The said Park and Recreation Board shall have and exercise all such powers and jurisdiction over and in relation to parkways as now is, or hereafter may be, conferred upon the City Council in respect to the laying out, opening, widening and improving, vacating and discontinuance of streets; the grading, paving and curbing thereof; the construction of sidewalks; and the cost of all lands acquired, and of all improvements made by said Board pursuant to this section shall be levied upon and collected from the property specially benefited thereby. And the proceedings for the condemnation of land and for assessing benefits for improvements shall be conducted in the manner hereinbefore in this Chapter provided for condemning lands and assessing benefits. [ch. 16, § 15]</p>
<p>(b) <b>Special assessments.</b> The Board may levy and collect assessments, in the same manner as the City Council levies and collects assessments, from property owners whose land the Board's improvements specially benefits.</p>	<p>As soon as the amount required for the purchase and condemnation of the land selected for any park or parkway, or park purposes, shall have been ascertained by said Park and Recreation Board with reasonable certainty, it shall determine what percentage, if any, of the amount so ascertained shall be assessed upon the lands benefited by said park or parkway . . . . [ch. 16, § 4]</p>
<p>(c) <b>Water mains and sewers.</b> The City Council may lay water mains and sewers along or under parkways with the same power and jurisdiction that it has over city streets.</p>	<p>The City Council of said City of Minneapolis shall have the same power and jurisdiction in respect to laying water mains and sewers along parkways in the said City as it now has in respect to laying the same along the public streets; and the same proceedings for levying and collecting special assessments for water mains and sewers along such streets shall apply to levying and collecting the same for water main laid along the parkways. [ch. 16, § 15]</p>

<b>Article VII Administration</b>	
<b>§ 7.1. Mayor</b>	The elective officers of the City shall be a Mayor, [ch. 2, § 1]
(a) <b>Term; election.</b> The Mayor’s term is four years. The Mayor is elected by the voters in a regular election held in each year following a year whose number is evenly divisible by four.	The terms of office of the Mayor and Council Members shall be for four years commencing on the first business day of January of the year following their election. [ch. 2, § 3]
(b) <b>Duties.</b> The Mayor must—	
(1) take care that all laws and ordinances are faithfully observed and enforced within the City;	The Mayor shall take care that the laws of the State and the ordinances of the City are duly observed and enforced within the City. The mayor shall take care that all other officers of the City discharge their respective duties, and to that end may maintain an action of mandamus or other appropriate action against any delinquent City officer. [ch. 3, § 1]
(2) take care that each other officer discharges his or her duties, for which purpose the Mayor may seek a writ of mandamus or other appropriate action against any delinquent officer;	
(3) recommend action in the City’s interest by any other government;	The Mayor shall address the City Council annually on the state of the City proposing therein plans and programs for the physical and economic development of the City. The Mayor shall make recommendations for legislation and other actions by other governmental bodies which actions would assist in such physical and economic development of the City and shall from time to time give the City Council such information and recommend such measure(s) as may be deemed advantageous to the City. [ch. 3, § 1]
(4) address the City Council annually on the state of the City, and recommend appropriate measures for the City’s physical and economic development; and	
(5) notify the City Council and any other interested board, commission, committee, or department of any litigation against the City.	



<p>(c) <b>Delegation.</b> The Mayor may appoint a proxy or other representative to serve in his or her place on any board, commission, committee, or other public body of which he or she is a member. Any such appointment must expire not later than the Mayor's term expires.</p>	<p>Notwithstanding any provisions of the Minneapolis City Charter and Minnesota Statutes 422A.02 and 423.72 to the contrary, whenever the Charter or said state laws provide that the Mayor be a member of any board, commission or department, the Mayor may appoint or designate a representative to serve in place of the Mayor on such board, commission or department for a term of office not to exceed the Mayor's own term. Such representatives shall be citizens of the state and residents of the City. [ch. 3, § 1]</p>
<p>(e) <b>Vacancy.</b> Whenever the Mayor vacates his or her office before the year of the next regular election, or in that year before March 1, the City Council must provide for a special election filling the vacancy within 90 days after the vacancy occurs.</p>	<p>Whenever any vacancy shall occur in the office of Mayor . . . prior to March 1st of the year of the general City election for the office of Mayor . . . , it shall be filled for the unexpired term by a special election ordered by the City Council and held City-wide if the vacancy is in the office of the Mayor . . . . The special election shall be held within seventy-five (75) days after such vacancy shall occur. [ch. 2, § 16]</p>
<p>(f) <b>Succession.</b></p>	

<p>(1) <b>Temporary vacancy.</b> Whenever the Mayor cannot discharge his or her duties, or the office is vacant pending an election, then the Council president (or, if the Council president cannot act, the Council vice-president) must act as Mayor until the Mayor (or the Council president, if the vice-president is acting as Mayor) resumes his or her duties or a new Mayor takes office. Any act taken by the Council president or vice-president, or any other successor, acting as Mayor is as valid as if taken by the Mayor. Any successor acting as Mayor draws the Mayor's salary instead of the salary of the office by virtue of which he or she is acting as Mayor.</p>	<p>If the Mayor is unable for any reason to discharge his or her required duties, a member of the City Council shall serve as Acting Mayor. The line of succession for Acting Mayor shall be the Council President, Council Vice-President, and then as determined by resolution of the City Council. Acts performed by the Acting Mayor shall have the same force and validity as if performed by the Mayor. [ch. 3, § 2B]</p> <p>Until the vacancy in the office of Mayor has been filled by the special election, the then President of the City Council shall take the oath of office of, and become, and shall be styled Acting Mayor for the interim period, and as such shall exercise all the powers and discharge all the duties of Mayor, and while so acting shall be entitled to the salary of Mayor, but such salary shall be in lieu of, and not additional to, the salary as Council Member in [the] event such person shall occupy both offices. [ch. 2, § 16]</p> <p>Whenever any vacancy shall occur in the office of Mayor on or after March 1st of the year of the general City election for the office of Mayor, the then President of the City Council shall fill the vacancy for the remainder of the vacated term in the same manner as provided above. [ch. 2, § 16]</p>
<p>(2) <b>Succession plan.</b> The City Council must by resolution adopt a succession plan, which must establish a line of succession beyond the Council vice-president. The Council must review the plan at each organizational meeting.</p>	<p>Within ninety (90) days after the effective date of this subsection . . . the City Council shall, by resolution, adopt a succession plan which will establish the lines of succession for the Mayor and the Council President consistent with the provisions of this section. [ch. 3, § 2B]</p>

<p>The City Council must review the plan at each organizational meeting.</p>	<p>and, thereafter, at the first meeting of the City Council in January of each year after a municipal general election, the City Council shall, by resolution, adopt a succession plan which will establish the lines of succession for the Mayor and the Council President consistent with the provisions of this section. [ch. 3, § 2B]</p>
<p>(g) <b>Resources.</b> The City Council must provide for the staff and other resources that the Mayor needs for the effective performance of his or her duties.</p>	
<p>(1) <b>Staff.</b> For the Mayor’s support, the Council must provide for at least—</p> <ul style="list-style-type: none"> <li>(A) one administrative deputy,</li> <li>(B) two administrative aides,</li> <li>(C) one administrative assistant,</li> <li>(D) one executive secretary, and</li> <li>(E) any other appropriate staff.</li> </ul> <p>The Mayor may appoint any such staff without regard to section 8.4(b).</p>	<p>The City Council by resolution is hereby authorized to determine the maximum number of administrative aides that may be on the staff of the Mayor, all of whom shall be in the unclassified service. The minimum size of said staff shall be one administrative deputy, two administrative aides, one administrative assistant, and one executive secretary. [ch. 4, § 24]</p>
<p>The Mayor’s staff serves in the unclassified service.</p>	<p>The powers of the commission shall extend only to the classified service which shall embrace the entire service of the City except the following officers, and employees, which shall be known as the "unclassified service", namely: . . . the Mayor's private secretary. [ch. 19, § 4]</p>

<p>(2) <b>Contingent fund.</b> The Council must annually appropriate a fund of not less than \$5,000 for use at the Mayor’s discretion. The Mayor may not contribute from this fund to any individual’s political campaign. The Mayor must report each expense from this fund to the Council.</p>	<p>The City Council of the City of Minneapolis is hereby authorized and directed annually to appropriate and set aside from the general fund of said city a sum of not less than five thousand dollars (\$5,000), as a contingent fund, for the use of the Mayor of said city. The Mayor shall have sole control over such fund, and may use and expend the same as the Mayor may deem best and for the interests of said City of Minneapolis; provided, however, that no money from said fund be used as a campaign contribution to any person seeking elected office. The Mayor shall tender to the City Council detailed statements of all expenditures made under authority of this provision. [ch. 11, § 2]</p>
<p>§ 7.2. <b>Departments</b></p>	
<p>(a) <b>The departments generally.</b> The City Council must establish, organize, and otherwise provide for these departments:</p>	
<p>(1) a city coordinator;</p>	<p>There shall be appointed a City Coordinator as provided by this chapter. The City Council shall prescribe by ordinance or resolution the general duties and fix the compensation of the City Coordinator. [ch. 3, § 3]</p>
<p>(2) a city clerk (sec. 4.2(e));</p>	<p>There shall be a Clerk of said City, styled the “City Clerk,” who shall be elected by the City Council. . . . The Clerk may, by and with the consent of the City Council, employ such clerical and other staff as may be necessary. [ch. 3, § 5]</p>

<p>(3) a city assessor;</p>	<p>The City Council shall . . . appoint one (1) assessor, who shall be an officer of said city styled "City Assessor," and who shall keep an office to be provided by said city . . . .</p> <p>The City Assessor shall, with the approval of the city council and subject to the provisions of the Civil Service Chapter of this Charter, appoint such number of deputies and staff as may be required to perform the work of the city assessor. [ch. 5, § 1]</p>
<p>(4) a city finance officer and budget office, including a director;</p>	<p>Pursuant to, and subject to the limitations of, Minnesota Laws of 1983, Chapter 160, the City Council may, by ordinance, provide the manner of appointment and prescribe the functions, duties and responsibilities of the Finance Officer. [ch. 3, § 11]</p>
<p>(5) a city attorney and legal department;</p>	<p>The City Council shall at the time and in the manner specified in this chapter for the appointment of other city officers elect and appoint a City Attorney. [ch. 3, § 7]</p>
<p>(6) a civil rights department, including a director, and a civil rights commission (sec. 7.2(d));</p>	<p>Notwithstanding any other Charter provision or ordinance to the contrary all city departments, boards, commissions, agencies, and branches of the City of Minneapolis shall be subject to the jurisdiction of the Minneapolis Civil Rights Commission. No exemption of the jurisdiction conferred by this section shall be allowed to exempt any city departments, boards, commissions, agencies, or branches of the City of Minneapolis. [ch. 11, § 18]</p>
<p>(7) a department of community planning &amp; economic development;</p>	
<p>(8) a fire department (sec. 7.4);</p>	

<p>(9) a health department, headed by a health commissioner;</p>	<p>The Commissioner of Health shall be appointed as provided in Chapter 3 Section 4 of this Charter. The Commissioner of Health may appoint (1) seven bureau directors, (2) health physicians and (3) the assistant director of dentistry to perform the duties and services directed by the Commissioner. The Commissioner of Health and the above listed positions appointed by the Commissioner shall not be included in the classified service of the city, under the Civil Service Chapter of this Charter, and shall not subject to the provisions of such Chapter. All other employees of the Department of Health and Family Support shall be under the Civil Service Chapter.</p> <p>The Commissioner of Health shall be a qualified person who is trained and experienced in public health administration, preferably a physician. The Commissioner of Health shall have the management and control of all matters pertaining to the public health, as authorized by ordinance or as delegated by and under the supervision of the City Council. [ch. 14, § 8]</p>
<p>(10) a planning commission (sec. 7.2(e));</p>	
<p>(11) a police department (sec. 7.3);</p>	
<p>(12) a public-works department;</p>	<p>There shall be in the City of Minneapolis a department of the City to be known as the "Department of Public Works." [ch. 3, § 8]</p>

<p>(13) a purchasing department;</p>	<p>The City Council is hereby authorized and empowered and shall at all times hereafter have the power and authority to establish and maintain a purchasing department as a branch of the city government, which department shall have full charge of the purchase by the city and the several boards of the city of all supplies and materials required for the use of the city and the several departments and boards of the city, including the Board of Education, Board of Park Commissioners [Park and Recreation Board] and Library Board, of the city, and for making and maintaining public works and improvements of the city, excepting from the provisions of this section the purchase of books, periodicals, pamphlets, works of art and other like supplies for the library board and art museum of the city, and the purchase of supplies for the use of the Board of Park Commissioners [Park and Recreation Board] of the city at its several refectories and places of amusement, and by ordinance or otherwise to make all rules and regulations necessary for the conduct and management of such purchasing department. The City Coordinator shall appoint a purchasing agent who shall be the head of such purchasing department and who shall appoint all necessary assistant purchasing agents and other employees required for the proper management of such purchasing department, and shall prescribe the duties of such purchasing agent, assistant purchasing agents and other employees. [ch. 4, § 19]</p>
<p>(14) a regulatory-services department; and</p>	<p>[1988 Minn. Laws ch. 433]</p>
<p>(15) any other department necessary or convenient for the efficient delivery of municipal services.</p>	

<p>(b) <b>Departmental organization.</b> The ordinance establishing each department must provide for an officer or a board or commission as its head, for any other necessary officer, and for appropriate staff and other resources. The Mayor nominates and the City Council appoints each department's head under section 8.4(b), except as this charter or any applicable law or ordinance otherwise provides.</p>	
<p>(c) <b>City attorney.</b></p>	
<p>(1) <b>Function.</b> Except as this charter otherwise provides, the city attorney and the legal department under his or her direction—</p>	<p>The City Council shall at the time and in the manner specified in this chapter for the appointment of other city officers elect and appoint a City Attorney.</p>
<p>(A) serve as the attorneys and counselors at law to the Mayor, the City Council and its committees, and the other boards, commissions, committees, departments, and officers for which this charter provides; and</p>	<p>....</p>



(B) counsels, and delivers an opinion on any legal question from, the Mayor, the City Council and its committees, and the other boards, commissions, and committees for which this charter provides, who must consult only the city attorney (and must not employ or pay any other attorney) for any necessary legal advice.

The City Attorney, the City Attorney's deputies and assistants shall constitute the legal department of the City of Minneapolis, and shall have charge of all legal matters connected with the city government and all the several heads and departments of the same, and of the several boards of said city which now exist or are hereafter established in connection with the city government.

The City Attorney shall be the head of such legal department and shall have the control, supervision and direction of all matters of such department. The City Attorney shall be the legal advisor of the Mayor, City Council, its committees, and all other officers of the city and of the boards hereinabove named. The City Attorney shall, either personally or by such deputies or assistants as he or she may designate, render and perform all the legal services incident to the legal department, when required, furnish opinions on legal questions submitted to him or her by the Mayor and other officers, the City Council or its committees, or by any of the above named boards. The City Attorney shall personally, or by deputy or assistant designated by the City Attorney attend the stated and special meetings of the Council, and when requested, the meetings of the committees or any of the above named boards.

....

The above named boards shall in no case employ, retain or pay any attorney for legal services in their boards or departments, and it is hereby made the duty of said boards and each of them, whenever the advice, opinion or services of an attorney are required, to call upon the City Attorney for such advice, opinion or services, and the same shall be given by the City Attorney or

	by an assistant designated by the City Attorney. Provided, that the provisions of this section shall not apply to the Board of Park Commissioners of the City of Minneapolis. [ch. 3, § 7]
(2) <b>Deputy city attorneys.</b> The city attorney may appoint two deputies, who serve in the unclassified service, but with the same employee benefits (except as to hiring and removal) as an officer in the classified service. If a deputy is appointed from the classified service, then he or she is treated as taking a leave of absence while serving as a deputy, after which he or she is entitled to return to his or her permanent grade in the classified service. If no vacancy is available in that grade, then the least senior employee so classified returns to his or her grade before being so classified.	Deputy City Attorneys shall have the same employee benefits, except as to appointment and removal, as persons in the classified service and any person appointed as a deputy who has a permanent civil service classification shall be deemed to be on leave of absence from such classified position while serving in such appointive position and upon termination of such service shall be returned to the permanent civil service classification from which such leave was taken and if no vacancy is available in such civil service classified position, seniority shall prevail and the person most recently certified to such position shall be returned to the civil service classification held by that person prior to such certification. [ch. 3, § 7]
(3) <b>Park &amp; Recreation Board.</b> This section 7.2(c) does not apply to the Park & Recreation Board, except to the extent that the Board so requests.	Provided, that the provisions of this section shall not apply to the Board of Park Commissioners of the City of Minneapolis. [ch. 3, § 7]
(d) <b>Civil rights commission.</b>	
(1) <b>Appointment.</b> The City Council must provide by ordinance for the appointment of a civil rights commission, to which section 8.4(b) does not apply.	

<p>(2) <b>Jurisdiction.</b> For the purpose of enforcing civil-rights legislation, the civil rights commission enjoys jurisdiction over each board, commission, committee, department, officer, and other agency or agent, notwithstanding anything in this charter to the contrary. No board, commission, committee, department, officer, or other agency or agent may limit the civil rights commission's jurisdiction.</p>	<p>Notwithstanding any other Charter provision or ordinance to the contrary all city departments, boards, commissions, agencies, and branches of the City of Minneapolis shall be subject to the jurisdiction of the Minneapolis Civil Rights Commission. No exemption of the jurisdiction conferred by this section shall be allowed to exempt any city departments, boards, commissions, agencies, or branches of the City of Minneapolis. [ch. 11, § 18]</p>
<p>(e) <b>Planning commission.</b></p>	
<p>(1) <b>Commission.</b> The commission consists of—</p>	<p>There shall be in the City of Minneapolis an executive department of the City to be known as the "City Planning Department," which shall serve as the staff of a City planning commission consisting of ten (10) persons. One shall be the Mayor; one shall be a person selected by the County Board of the County of Hennepin as its representative; the City Council, the School Board, and the Park Board shall each select one of its own members, as a member of the Commission, in January of each even-numbered year; four (4) legal voters of the municipality not members of any of the above bodies or boards shall be appointed by the Mayor with the approval of the City Council; and one (1) legal voter of the municipality not a member of any of the above bodies or boards shall be appointed by the City Council in January of each even-numbered year.</p>
<p>(A) the Mayor;</p>	
<p>(B) a member elected by (but not necessarily from) the board of county commissioners;</p>	
<p>(C) a member elected by and from the City Council;</p>	
<p>(D) a member elected by and from the Park &amp; Recreation Board;</p>	
<p>(E) a member elected by and from the Minneapolis Public Schools board of education;</p>	
<p>(F) a member who is a resident, appointed by the City Council; and</p>	

<p>(G) four members who are residents and are not members of any board otherwise represented on the commission, appointed under section 8.4(b).</p>	<p>Each year the Mayor shall appoint two (2) members to serve for terms of two (2) years each, commencing on the first day of February of the year of their appointment. The terms of appointed members serving for terms to expire in July, 1978, and July 1979, shall each terminate on January 31, 1978, and the terms of members appointed for terms to expire in July 1980, and July 1981, shall each terminate on January 31, 1979. Vacancies for any unexpired term shall be filled by appointments or selection as in the first instance. [ch. 13, § 1]</p>
<p>(2) <b>Function.</b> The commission must—</p>	<p>The city planning commission shall have power, except as otherwise provided by law: [ch. 13, § 2]</p>
<p>(A) prepare a comprehensive plan for the City’s physical development and improvement, with particular regard to public utility and convenience and the general welfare;</p>	<p>1. To acquire or prepare a comprehensive city plan for the future physical development and improvement of the city, based primarily upon public utility, convenience and general welfare, which plan shall be known and designated as the official city plan. [ch. 13, § 2(1)]</p>
<p>(B) recommend to any appropriate board, commission, committee, department, or officer specific plans for public improvements, consistent with the comprehensive plan;</p>	<p>2. To prepare and recommend to the proper officers of the municipality, specific plans for public improvements consistent with the comprehensive plan for the city. [ch. 13, § 2(2)]</p>
<p>(C) recommend to the City Council ordinances regulating the zoning of buildings and other structures with respect to their size, location, and use; and</p>	<p>3. To recommend to the City Council, ordinances regulating the height, location and ground areas of buildings and structures, and ordinances providing for the division of the city into districts or zones based upon the height, ground areas and use of all buildings and structures. [ch. 13, § 2(3)]</p>

<p>(D) perform any other duties for which an ordinance provides.</p>	<p>The City Council may pass ordinances authorizing the city planning department to administer and enforce ordinances relative to city planning. [ch. 13, § 3]</p>
<p>(3) <b>Plans and plats.</b> No public office may receive or record any plan, plat, or replat of any street or other realty in the City, intended for dedication to public use or for the benefit of the fronting or adjacent property, unless the planning commission has endorsed its approval on the plan, plat, or replat. The commission's disapproval rejects, and its approval accepts, the proposed dedication on the City's behalf. But accepting such a dedication does not subject the City to any duty to maintain the dedicated property until the City has entered, used, or improved upon it.</p>	<p>All plans, plats or replats of land hereafter laid out in building lots and streets, alleys or other portions of the same intended to be dedicated to public use, or for the use of purchasers or owners of lots fronting thereon, or adjacent thereto, and located within the city limits, shall be submitted to the City Planning Commission for its approval; and it shall be unlawful to receive or record such plans in any public office unless the same shall bear thereon by endorsement or otherwise, the approval of the City Planning Commission. The disapproval of such plan, plats or replats by the City Planning Commission shall be deemed a refusal by the City of the proposed dedication shown thereon. The approval of the Commission shall be deemed an acceptance by the City of the proposed dedication; but shall not impose any duty upon the City concerning the maintenance or improvements of any such dedicated parts, until the proper authorities of the City shall have made actual appropriations of the same by entry, use or improvements.</p> <p>The duty of the City Planning Commission in accepting or rejecting a plat shall be deemed legislative and discretionary and not administrative. The City Council by ordinance may direct that the City Planning Commission approve or reject all plans, plats, replats, applications for subdivision and variances from subdivision regulations, subject to the right of appeal to the City Council. [ch. 13, § 5]</p>

<p>(4) <b>Public improvements.</b> The City may not authorize or incur debt for any public improvement, including (but not limited to) any structure of permanent character intended for ornament or commemoration, unless—</p>	<p>No public improvements shall be approved or authorized to be constructed in the City, nor indebtedness incurred therefor, until the location and design of the same have been approved by the City Planning Commission, provided in case of disapproval the Commission shall communicate its reason to the City Council, and the majority vote of such body shall be sufficient to overrule such disapproval. If the reasons for disapproval are not given to the City Council within thirty (30) days after the plans for the public improvements are submitted to the City Planning Commission, said plan shall be deemed to be approved by the City Planning Commission, provided, that the term "public improvements" shall include all paintings, mural decorations, stained glass, statues, bas-reliefs, or other sculptures, monuments, fountain arches, gates, gateways or other structures of permanent character intended for ornament or commemoration. [ch. 13, § 4]</p>
<p>(A) the planning commission approves the location and design;</p>	
<p>(B) the commission, within 30 days after receiving a plan for a proposed improvement's location and design, notifies the City Council of particular objections, and the Council approves over the commission's objections; or</p>	
<p>(C) the commission does not notify the Council of particular objections within 30 days.</p>	

(f) **Purchasing.** The City Council may require that each officer, board, commission, or department buy goods through the purchasing department, except as this charter otherwise provides.

The City Council is hereby authorized and empowered and shall at all times hereafter have the power and authority to establish and maintain a purchasing department as a branch of the city government, which department shall have full charge of the purchase by the city and the several boards of the city of all supplies and materials required for the use of the city and the several departments and boards of the city, including the Board of Education, Board of Park Commissioners [Park and Recreation Board] and Library Board, of the city, and for making and maintaining public works and improvements of the city, excepting from the provisions of this section the purchase of books, periodicals, pamphlets, works of art and other like supplies for the library board and art museum of the city, and the purchase of supplies for the use of the Board of Park Commissioners [Park and Recreation Board] of the city at its several refectories and places of amusement, and by ordinance or otherwise to make all rules and regulations necessary for the conduct and management of such purchasing department. The City Coordinator shall appoint a purchasing agent who shall be the head of such purchasing department and who shall appoint all necessary assistant purchasing agents and other employees required for the proper management of such purchasing department, and shall prescribe the duties of such purchasing agent, assistant purchasing agents and other employees. [ch. 4, § 19]

§ 7.3. **Police**

<p>(a) <b>Police department.</b> The Mayor has complete power over the establishment, maintenance, and command of the police department. The Mayor may make all rules and regulations and may promulgate and enforce general and special orders necessary to operating the police department. Except where the law vests an appointment in the department itself, the Mayor appoints and may discipline or discharge any employee in the department (subject to the Civil Service Commission’s rules, in the case of an employee in the classified service).</p>	<p>The mayor shall be vested with all the powers of said city connected with and incident to the establishment, maintenance, appointment, removal, discipline, control and supervision of its police force, subject to the limitations herein contained and the provisions of the civil service chapter of this Charter, and may make all needful rules and regulations for the efficiency and discipline, and promulgate and enforce general and special orders for the government of the same, and have the care and custody of all public property connected with the police department of the city. [ch. 6, § 1]</p> <p>Each and every person so appointed shall be subject to removal by the mayor when the mayor shall deem the same necessary after proper investigation in accordance with the civil service chapter of this Charter. [ch. 6, § 1]</p>
<p>(1) <b>Police chief.</b></p>	
<p>(A) <b>Appointment.</b> The Mayor nominates and the City Council appoints a police chief under section 8.4(b).</p>	<p>The executive committee shall, by and with the consent of a majority of all of the members of the city council, appoint for a term of three (3) years commencing January 2, 1980, some suitable person as chief of police, subject to removal upon the recommendation of the executive committee by a vote of a majority of all of the members of the city council. [ch. 6, § 1]</p>
<p>(B) <b>Term.</b> The chief’s term is three years.</p>	



<p>(C) <b>Civil service.</b> The chief serves in the unclassified service, but with the same employee benefits (except as to hiring and removal) as an officer in the classified service. If a chief is appointed from the classified service, then he or she is treated as taking a leave of absence while serving as chief, after which he or she is entitled to return to his or her permanent grade in the classified service. If no vacancy is available in that grade, then the least senior employee so classified returns to his or her grade before being so classified.</p>	<p>Such position shall be in the unclassified service. The term of office of each chief of police shall be three (3) years from and after the second day of January of the year of appointment. In case of a vacancy occurring otherwise, the appointment shall be for the unexpired term. Ten (10) days prior to the appointment of a chief of police, the executive committee shall file with the city clerk the name of all persons the executive committee is then considering for the appointment. The chief of police may be reappointed by a majority of all members of the city council. In the event that the council does not reappoint within thirty (30) days of the termination of the term, the executive committee shall within sixty (60) days thereafter make a new appointment. Persons holding the position of chief of police shall be entitled to the same employee benefits as persons in the classified service except as to appointment and removal. If the person appointed chief of police is a member of the classified service, such person shall be deemed to be on leave of absence during the tenure as chief of police, and upon the termination of service as chief of police shall be returned to his or her permanent civil service classification. If no vacancy is available in that permanent civil service classified position, seniority shall prevail and the person most recently certified to such position shall be returned to the permanent civil service classification held prior to such certification. [ch. 6, § 1]</p>
<p>(D) <b>Public health.</b> The chief must execute the City Council's orders relating to the preservation of health.</p>	<p>It shall be the duty of the Chief of Police to cause to be executed all orders of the City Council so far as they may relate to the preservation of the health of the city whenever requested to do so to the City Council, and the Police Officers of the City of Minneapolis shall promptly report to the City Council any violation of the rules that may become known to them while on duty. [ch. 14, § 6]</p>

<p>(2) <b>Police officers.</b> Each peace officer appointed in the police department must be licensed as required by law. Each such licensed officer may exercise any lawful power that a peace officer enjoys at common law or by general or special law, and may execute a warrant anywhere in the county.</p>	<p>All police officers so appointed shall be licensed as required by law and shall possess all the common law and statutory powers of peace officers, and any warrant for search or arrest issued by any magistrate or court of record in Hennepin County may be executed in any part of said county by any member of said police force. [ch. 6, § 1]</p>
<p>(b) <b>Temporary police.</b> The Mayor may, in case of riot or other emergency, appoint any necessary temporary police officer for up to one week. Each such officer must be a licensed peace officer.</p>	<p>The mayor may also, in case of riot, large public gatherings or other unusual occasions demanding the same, appoint such number of temporary police as may be needed but not for a period of more than one (1) week, without the consent of the city council. All police officers so appointed shall be licensed as required by law and shall possess all the common law and statutory powers of peace officers, and any warrant for search or arrest issued by any magistrate or court of record in Hennepin County may be executed in any part of said county by any member of said police force. [ch. 6, § 1]</p>

<p>(f) <b>Funding.</b> The City Council must fund a police force of at least 0.0017 employees per resident, and provide for those employees' compensation, for which purpose it may tax the taxable property in the City up to 0.3 percent of its value annually. This tax is in addition to any other tax, and not subject to the maximum set under section 9.3(a)(4).</p>	<p>The personnel of the police department shall be established and maintained at a ratio, or as closely thereto as is possible within the limits of section 2 hereof, of not less than one and seven-tenths (1.7) employees per one thousand (1,000) of population of the city according to the latest United States official census. [ch. 6, § 1]</p> <p>For the sole purpose of maintaining the personnel of the Police Department as provided in Section 1 hereof, the City Council, notwithstanding other statutory or Charter tax limitations, shall levy a tax annually, in addition to the City general fund levy, in such amount as is necessary to maintain the Police Department personnel ratio . . . . In no event shall such additional tax exceed three (3) mills on each dollar of assessed valuation on all taxable real and personal property of the City, such mill rate limitation to be converted and adjusted in the manner provided in Minnesota Statutes, Sections 273.1102 and 275.011. The additional tax and levy herein provided shall not be reduced by the Board of Estimate &amp; Taxation, and the proceeds therefrom shall be appropriated only to the use of the Police Department personnel, and related other than personnel items, and the City Council shall not reduce any other appropriation made for police purposes by reason of the additional tax and levy herein provided. [ch. 6, § 2]</p>
<p>§ 7.4. <b>Fire</b></p>	
<p>(a) <b>Fire department.</b></p>	
<p>(1) <b>Fire chief.</b></p>	

<p>(A) <b>Appointment.</b> The Mayor nominates and the City Council appoints a fire chief under section 8.4(b).</p>	<p>Pursuant to Chapter 3, section 4 of this Charter the executive committee shall appoint, subject to the approval of a majority of all the members of the City Council, a chief engineer of the fire department, subject to removal by the executive committee upon approval of a majority of all of the members of the City Council. [ch. 7, § 5]</p>
<p>(B) <b>Civil service.</b> The chief serves in the unclassified service, but with the same employee benefits (except as to hiring and discharge) as an officer in the classified service. If a chief is appointed from the classified service, then he or she is treated as taking a leave of absence while serving as chief, after which he or she is entitled to return to his or her permanent grade in the classified service. If no vacancy is available in that grade, then the least senior employee so classified returns to his or her grade before being so classified.</p>	<p>Such position shall be in the unclassified service. The person holding the position of chief engineer shall be entitled to the same employee benefits as persons in the classified service except as to appointment and removal. If the person appointed chief engineer is a member of this classified service, such person shall be deemed to be on leave of absence during tenure as chief engineer, and upon the termination of service as chief engineer, shall be returned to the person's permanent civil service classification. If no vacancy is available in the permanent civil service classified position held by the chief engineer at the time of appointment as chief, seniority shall prevail and the person most recently certified to such position shall be returned to the permanent civil service classification which the person held prior to such certification. [ch. 7, § 5]</p>
<p>(2) <b>Senior management.</b></p>	
<p>(A) <b>Senior managers.</b> The department's senior managers are those holding the titles (which may be held by one or more employees)—</p>	
<p>(i) assistant chief,</p>	
<p>(ii) deputy chief,</p>	

(iii) fire marshal,	<p>The Chief Engineer shall with the approval of the City Council, appoint, subject to the provisions of the Civil Service Chapter of this Charter, all other officers and staff connected with such department, and may at any time, as provided by the Civil Service Chapter of this Charter, remove or discharge such officers or staff as the Chief Engineer may deem it for the interest of the city to discharge, and whenever the City Council shall deem it necessary to reduce the number of staff employed, said Chief Engineer, shall, upon the direction of the City Council, recommend the layoff of such officers or staff as can be released without impairing the working efficiency of such department.</p> <p>The Chief Engineer shall appoint competent officers, holding the rank of at least captain, to serve as the assistant chief, deputy chiefs, fire marshal, three (3) assistant chiefs of training and the engineering officer. The assistant chief, deputy chiefs, fire marshal, assistant chiefs of training and the engineering officer shall be appointed by the Chief Engineer, without examination, and such appointees may be removed by the Chief Engineer at will.</p>
(iv) assistant chief of training, or	
(v) engineering officer.	
<p>(B) <b>Appointment.</b> The fire chief appoints, with the City Council's assent, without examination, a senior manager from the department's firefighters with the rank of captain or higher; and may discharge him or her at will, without regard to the Civil Service Commission's rules. An officer who accepts such an appointment is treated as taking a leave of absence, retains his or her grade and seniority in the classified service, and earns seniority in that grade while serving as a senior manager, after which he or she is entitled to return to his or her permanent grade in the classified service. If no vacancy is available in that grade, then the least senior employee so classified returns to his or her grade before being so classified.</p>	
(3) <b>Officers and staff.</b>	
<p>(A) <b>Appointment.</b> The fire chief, with the City Council's assent, appoints (subject to the Civil Service Commission's rules) the department's other officers and other employees.</p>	

<p>(B) <b>Layoffs.</b> The fire chief may (subject to the Civil Service Commission's rules) discharge an employee in the City's interest. If the City Council directs that the department reduce its force, then the chief must recommend only such layoffs as will not impair the department's operations.</p>	<p>An officer of the Fire Department accepting appointment to one of the positions enumerated in this section shall retain the officer's civil service status and seniority, and time served in such appointed position shall be credited in computing the officer's seniority in the permanent civil service classification held by the officer immediately prior to accepting the appointment. An officer of the Fire Department accepting appointment to one of the positions enumerated in this section shall be deemed to be on leave of absence from the officer's permanent civil service classification. Upon termination of such appointed service, the officer shall be returned to the permanent civil service classification for which such leave was taken and if no vacancy is available in such civil service classified position, seniority shall prevail and the person most recently certified to such position shall be returned to the civil service classification held by that person prior to such certification. [ch. 7, § 6]</p>
<p>(b) <b>Fire marshal.</b> The fire marshal must take care that all laws and ordinances against danger from fire are faithfully observed and enforced, for which purpose the marshal may enter and inspect any building (including a dwelling) at any reasonable time. The marshal must examine and record the cause of any fire.</p>	<p>The City Council may, subject to the provisions of the Civil Service Chapter of this Charter, designate such officer of the Fire Department as it may select to act as Fire Marshal of the city to see that the ordinances of the city relating to precautions against danger from fire are not violated, and who shall have power and be fully authorized to enter and inspect any dwelling house or other building at all reasonable times to see that such ordinances are enforced and, if entry be refused, the fire marshal shall have recourse to every remedy provided by law to secure such entry. It shall further be the duty of such Fire Marshal to examine particularly into the cause of every fire which shall happen within the city, and to make and keep a brief record of the same. [ch. 7, § 7]</p>

<p>(c) <b>Fire police.</b> The City Council may provide for fire police within either the fire department or the police department. The fire department may command the police officers at any fire.</p>	<p>Whenever the City Council shall deem it necessary it may provide for a Fire Police of such numbers and with such powers as it may determine, and for that purpose it may either give police powers to such of the officers or staff of the Fire Department as may be necessary, or authorize the appointment of the necessary Police Officers in the same manner as other Police Officers are appointed. In all cases, all Police Officers present at any fire shall be subject to the direction of the officers of the Fire Department present at such fires. [ch. 7, § 8]</p>
<p>(d) <b>Fire emergencies.</b> If necessary for the protection of life or property from an unusual fire, a riot, or a like emergency, the fire chief may—</p>	<p>Provided, however, that the Chief of the Fire Department may establish such rules as may be necessary to insure the attendance of members of the Department in case of a great conflagration or unusual fire or fires, and in such cases, the Chief of the Fire Department may require each and every member of the Department to assist in the protection of life and property, notwithstanding said member or firefighter is off duty. [ch. 7, § 12]</p>
<p>(1) compel the attendance of any employee in the fire department (including an off-duty firefighter), for which purpose the chief may make any necessary or prudent rule; and</p>	
<p>(2) appoint additional officers or other firefighters for temporary service during the emergency, without regard to the Civil Service Commission's rules.</p>	<p>Provided, further, that nothing herein contained shall be construed to apply to any vacation now, or hereafter granted to any firefighters by the city. In case of riot or other like emergency, the Chief of the Fire Department may appoint additional firefighters and officers for temporary service, who need not be in the classified list of the Department. Such additional firefighters or officers shall be employed only for the time during which the emergency exists. [ch. 7, § 12]</p>
<p>(e) <b>Funding.</b> The City Council must fund a fire department that can maintain adequate staffing.</p>	<p>The City Council shall take such steps as are necessary to provide means and money to meet the expenditures which shall be necessary to establish and maintain the double platoon system. [ch. 7, § 12]</p>

<p>(1) <b>Operating expenses.</b> The department’s operating expenses are paid out of the general fund.</p>	<p>All operating expenses of the Fire Department shall be paid out of the general fund. [ch. 7, § 10]</p>
<p>(2) <b>Capital expenses.</b> The department’s capital expenses are paid out of the permanent-improvement fund, or the proceeds from bonds issued for the purpose, or out of the general fund.</p>	<p>The construction of engine houses or other buildings and purchase of fire apparatus or property for the use of such department may be paid for out of the permanent improvement or other bond fund of the city. [ch. 7, § 10]</p>
<p><b>Article VIII</b> <b>Officers and Other Employees</b></p>	
<p>§ 8.1. <b>Definitions</b></p>	
<p>For this charter’s purposes—</p>	
<p>(a) an “officer” includes—</p>	
<p>(1) each elected officer (sec. 8.3(a)(2)),</p>	
<p>(2) each member or officer of a board or commission for which this charter provides, and</p>	
<p>(3) each employee listed in section 7.2 or appointed under section 8.4(b); and</p>	
<p>(b) an “employee” includes—</p>	<p>The term “employee” as used in this Chapter, shall include every officer, agent, employee and other person in the classified service of the City. [ch. 19, § 5]</p>
<p>(1) everyone in the classified or unclassified service who is not an officer, and</p>	



<p>(2) each officer, other than a member of a board, commission, or committee who is not otherwise classified as an employee under this charter, an ordinance, or a general or special law.</p>	
<p>§ 8.2. <b>Officers generally</b></p>	
<p>Except as this charter otherwise provides:</p>	
<p>(a) <b>Oath.</b> Before taking office, each officer must sign and file with the city clerk an oath in substantially the following form: “I swear [<i>or ‘affirm’</i>] that I will faithfully discharge the office of [title], and will support the constitutions of the United States and of Minnesota.”</p>	<p>Every person elected or appointed to any office under this Charter shall, before entering upon the duties of office, take and subscribe an oath of office, and file the same with the Clerk of the City. [ch. 2, § 18]</p> <p>Before entering upon the discharge of the duties of the office each member of the Board shall make and file with the City Clerk an oath promising to faithfully discharge the duties of the office. [ch. 15, § 1]</p> <p>All persons elected to the office of Park and Recreation Commissioner shall before entering upon the discharge of their duties severally file a written acceptance and oath of office in the office of the City Clerk of the City of Minneapolis. [ch. 16, § 1]</p> <p>Each commissioner, before entering upon the duties of office, shall subscribe and file with the City Clerk an oath for the faithful discharge of such duties. [ch. 19, § 1]</p>
<p>(b) <b>Bond.</b> The city clerk, the finance officer, and any other officer that the City Council requires, must before taking office deliver an executed bond in whatever amount and form and on whatever conditions the Council requires.</p>	<p>The Finance Officer, Clerk and such other officers as the City Council shall require, shall severally, before they enter upon the duties of their respective offices, execute to the City of Minneapolis, bonds in such form, amounts and upon such conditions as the City Council shall prescribe. [ch. 2, § 19]</p>

<p>(c) <b>Term.</b> Except as this charter, an ordinance, or a general or special law otherwise provides, each officer’s term is two years.</p>	<p>All officers required to be appointed by the City Council shall, unless in this Charter otherwise provided, hold their respective offices for the term of two years from and after the first business day in January of even numbered years, [ch. 2, § 2]</p> <p>“City Assessor,” . . . whose term of office shall be two years [ch. 5, § 1]</p>
<p>(d) <b>Tenure.</b> Each officer takes office, after having qualified and taking the required oath—</p>	
<p>(1) in the case of an elected officer elected in a regular election, on the first weekday in January that is not a holiday in the calendar year next following the election;</p>	
<p>(2) in the case of an elected officer elected at a special election, when the results are certified;</p>	
<p>(3) in the case of an officer appointed under section 8.4(b), on the first weekday in January that is not a holiday in an even-numbered year; and</p>	
<p>(4) in the case of any other office, as any applicable ordinance provides, otherwise upon election or appointment.</p>	

<p>(e) <b>Holding over.</b> Each officer serves until his or her successor has qualified and takes office.</p>	<p>and all officers elected by the people, or appointed by the City Council or otherwise shall continue in office until their successors are elected or appointed and have qualified. [ch. 2, § 2]</p> <p>“City Assessor,” . . . whose term of office shall be two years . . . and until a successor is appointed and qualified. [ch. 5, § 1]</p> <p>The commissioners shall continue in office until their successors are appointed and have duly qualified. [ch. 19, § 1]</p>
<p>(f) <b>Duties.</b> Each officer must perform the duties that this charter or any other applicable statute, ordinance, or rule, or the electing or appointing body, prescribes.</p>	
<p>(g) <b>Vacancy.</b></p>	
<p>(1) <b>Determination.</b></p>	
<p>(A) <b>Elected office.</b> Each board to which the voters elect an elected officer determines when that office is vacant.</p>	
<p>(B) <b>Other office.</b> The electing or appointing body determines when any other office is vacant.</p>	
<p>(2) <b>Resignation.</b> Any officer may resign—</p>	
<p>(A) by tendering a written resignation that the electing or appointing authority accepts; or</p>	<p>Any officer having entered upon the duties of an office may resign the same by and with the consent of the City Council. [ch. 2, § 17]</p>
<p>(B) in any other manner provided by law.</p>	

<p>(3) <b>Removal.</b> The electing or appointing body (or, in the case of an elected office, the City Council) may remove any officer after notice and hearing. The notice must specify—</p>	<p>The City Council shall have power to remove from office any officer of said City whether appointed by the City Council or elected by the people, but no officer elected by the people shall be removed except for cause, nor unless first furnished with a copy of the charges, nor until such person shall have had reasonable opportunity to be heard in person or by counsel in his or her own defense. [ch. 4, § 4]</p>
<p>(A) the cause for removal, and</p>	
<p>(B) the hearing’s time and place.</p>	
<p>The electing or appointing body may compel the testimony of any witness who may have relevant information, and may compel the production of any relevant book, document, or thing. This section is subject to section 8.4(b)(6), for whose purposes the appointing body is the City Council.</p>	<p>The City Council shall fix a time and place for the trial of such officer, of which not less than ten days’ notice shall be given, and shall have power to compel the attendance of witnesses, and the production of papers, and to hear and determine the case, and if such officer shall refuse or neglect to appear and answer such charge the City Council may declare the office vacant. [ch. 4, § 4]</p>
<p>(4) <b>Vacancies.</b> The electing or appointing body may fill any vacancy that this charter does not provide another method of filling. Where the voters are the electing body, the City Council may fill the vacancy. A successor filling a vacancy serves only until an elected successor takes office or for the unexpired term’s remainder.</p>	<p>All vacancies, except as herein provided, shall be filled by the City Council. [ch. 2, § 17]</p> <p>In case of a vacancy occurring otherwise the appointment shall be for the unexpired term. [ch. 19, § 1]</p>
<p>(h) <b>Notice.</b> Any notice to an officer may be given by—</p>	<p>by notice to each of the members, to be delivered personally or left at their usual places of abode. [ch. 4, § 2]</p>
<p>(1) certified mail addressed to his or her last-known residence, or</p>	
<p>(2) delivery in the manner provided by law for service of a summons in a civil action,</p>	
<p>mailed or delivered at least 10 days before the meeting or other event for which notice is given.</p>	

<p>§ 8.3. <b>Elected officers</b></p>	
<p>(a) <b>“Elected office” defined.</b> For this charter’s purposes—</p>	<p>The elective officers of the City shall be a Mayor, members of the City Council (who shall be known as Council Members) and such members of boards or commissions as elsewhere provided in this Charter. [ch. 2, § 1]</p>
<p>(1) an “elected office” means one that the voters elect; and</p>	
<p>(2) an “elected officer”—</p>	
<p>(A) means the incumbent holding an elected office, and includes an appointee filling a vacancy in such an office pending an election; but</p>	
<p>(B) does not include an officer elected by a board or commission to an office that is not an elected office.</p>	
<p>(b) <b>Qualifications.</b> No person is eligible as an elected officer unless he or she can vote for that office. A redistricting does not affect the eligibility or term of any incumbent holding office when the plan takes effect.</p>	
<p>(c) <b>Resignation.</b> Any elected officer may resign by tendering a written resignation to the city clerk.</p>	
<p>(d) <b>Holding over.</b> Each elected officer serves until his or her successor has qualified and takes office.</p>	<p>and all officers elected by the people, or appointed by the City Council or otherwise shall continue in office until their successors are elected or appointed and have qualified. [ch. 2, § 2]</p>
<p>§ 8.4. <b>Other officers</b></p>	

<p>(a) <b>Other offices.</b> The City Council may establish any other necessary office, in which case the Council must provide for its title, appointment, term, compensation, and duties.</p>	<p>Except as in this Charter otherwise specifically provided, all other officers provided for in this Charter or deemed necessary for the proper management of the affairs of the City, shall be appointed by the City Council. [ch. 2, § 2]</p> <p>The City Council shall have power at any time to require other and further duties to be performed by any officer whose duties are herein prescribed, not inconsistent with this Chapter, and to appoint such other officers as may be necessary to carry into effect the provisions of this Chapter, and to prescribe their duties, unless herein otherwise provided for. [ch. 3, § 23]</p>
<p>(b) <b>Appointment by Mayor or Council.</b> Where a general law, special law, ordinance, rule, or other authority provides for an officer's appointment by the Mayor, by the City Council, by any board or commission whose membership mostly consists of Council members, or by any combination of them, and does not explicitly override this section 8.4(b), then the appointment is vested collectively in the Mayor, Executive Committee, and Council as this section provides. The Council may prescribe the Executive Committee's process, and may require consultation with any interested Council committee or member, but may not limit the candidates that the Mayor may nominate or the Committee may review. This section 8.4(b) does not apply to any appointment for which another provision within this charter provides unless the other provision explicitly refers to this section.</p>	<p>Notwithstanding any other provision of this Charter or special law to the contrary, the executive committee shall have the exclusive power to appoint and remove during their terms of office the Police Chief, Fire Chief, City Engineer, Commissioner of Health, City Attorney, City Assessor, City Coordinator, Civil Service Commissioner, and any officer in a department or agency who, by statute, Charter or ordinance, is appointed by the Mayor or City Council or by any public board the majority of whose members are members of the City Council. . . . When considering an appointment or removal the executive committee shall follow procedures prescribed by ordinance or resolution of the City Council which may include provision for participation by members and committees of the City Council, but in the case of an appointment such procedures may not impose a limitation on the candidates to be considered by the executive committee. [ch. 3, § 4]</p>
<p>(1) <b>Nomination by Mayor.</b> The Mayor enjoys the exclusive power of nominating the officer in the first instance.</p>	<p>All appointments by the executive committee shall be made from nominations submitted by the Mayor. [ch. 3, § 4]</p>

<p>(2) <b>Recommendation by Executive Committee.</b> The Executive Committee must review the Mayor's nomination, which it may forward to the City Council with a recommendation that the candidate be appointed.</p>	<p>Whenever the Mayor exercises the power of appointment or designation of persons to be members or occupants of any board, commission, department or office, and the City Council approval of such appointment or designation is required, the appointment or designation will be deemed approved if the City Council has not disapproved such an appointment or designation within a period of sixty days from and after the submission of the appointment or designation by the Mayor to the City Council [ch. 4, § 22]</p>
<p>(3) <b>Appointment by City Council.</b> The City Council may appoint a candidate that the Executive Committee has recommended. The Council may not appoint a candidate that the Executive Committee has not recommended.</p>	<p>An appointment . . . shall be effective only upon approval by action of the City Council taken in compliance with the requirements of Chapter 2, section 2, and Chapter 3, section 1 of this Charter. [ch. 3, § 4]</p>

<p>(4) <b>Failure of appointment.</b> If an office has been vacant for at least 90 days (or 30 days in the case of the police chief), or if the Mayor has nominated three candidates that the Executive Committee or the Council has rejected, then the Executive Committee may by a majority of its membership name three or more candidates, from whom the Mayor must nominate one. If the Mayor has not, after 20 days, nominated a candidate so named, then the Executive Committee may by a majority of its membership recommend one such candidate to the Council, and the Council may appoint the recommended candidate, without the Mayor's nomination. This process recurs until an officer is appointed.</p>	<p>If after three nominations or if within ninety days after a position becomes vacant, the Mayor has failed to gain an executive committee appointment and Council approval to fill the position, a majority of the executive committee may submit in writing to the Mayor a list of at least three qualified persons from which the Mayor shall nominate a person to fill the position. If that nomination fails of approval, the executive committee may submit a new list of three qualified persons and the Mayor shall again nominate from such list, and these steps shall be repeated until a nomination results in an appointment and in its approval by the Council. If the Mayor fails to nominate from a list within twenty days after receipt thereof, then a majority of the executive committee may appoint from such a list. [ch. 3, § 4]</p> <p>In the event that the council does not reappoint within thirty (30) days of the termination of the term, the executive committee shall within sixty (60) days thereafter make a new appointment. [ch. 6, § 1]</p>
<p>(5) <b>Suspension.</b> The Executive Committee may suspend without pay any officer appointed under this section 8.4(b). Any such suspension expires after five days unless the City Council extends it.</p>	<p>The executive committee may suspend without pay any officer appointed by it in the unclassified service for a period not to exceed five (5) working days at one time, and for longer periods with the approval of the City Council. [ch. 3, § 4]</p>



<p>(6) <b>Removal.</b> The City Council may not remove an officer appointed under this section 8.4(b) unless the Executive Committee so recommends, and may not remove a Civil Service commissioner except for cause.</p>	<p>An appointment or removal shall be effective only upon approval by action of the City Council taken in compliance with the requirements of Chapter 2, section 2, and Chapter 3, section 1 of this Charter. [ch. 3, § 4]</p> <p>The executive committee shall have power to remove from office any officer of the city appointed by it subject to the provisions of Chapter 3, section 4 of this Charter, except that members of the civil service commission may only be removed during their term for cause. [ch. 4, § 4]</p>
<p>(7) <b>Holding over.</b> Any officer subject to appointment under this section 8.4(b) whose term has expired but whose successor has not been appointed may continue in office for up to 180 days. The Executive Committee may thereafter appoint a temporary successor for up to 90 days. The office is otherwise vacant until a successor is appointed and qualifies.</p>	<p>A person holding an office or seat filled by appointment by the executive committee who has not been reappointed and approved by the City Council within six months after expiration of his or her term shall vacate the office or seat and shall remain vacant until a new appointment is made and confirmed. The executive committee may designate someone to fill the vacated office on a temporary basis for a period not to exceed ninety days. [ch. 3, § 4]</p>
<p>§ 8.5. <b>Classified service</b></p>	
<p>For this section 7.4's purposes, the "Commission" means the Civil Service Commission for which section 7.4(c) provides.</p>	
<p>(a) <b>Policy.</b> The City will adopt and follow fair, impartial, and practical rules for the classified service. Except as this charter otherwise provides, the City must fill each vacancy in the classified service with the most qualified applicant according to an examination that measures qualifications and fitness for the job.</p>	

<p>(1) <b>Examination.</b> The examination may inquire into the applicant’s experience, skill, and character to the extent that the job requires them.</p>	<p>All examinations shall be impartial, fair and practical and designed only to test the relative qualifications and fitness of applicants to discharge the duties of the particular employment which they seek to fill. . . . All applicants for positions of trust shall be specially examined as to moral character, sobriety and integrity, and all applicants for positions requiring special experience, skill or faithfulness shall be specially examined in respect to those qualities. [ch. 19, § 13]</p>
<p>(2) <b>Nondiscrimination.</b> The examination may not inquire into any applicant’s—</p>	<p>No question in any examination shall relate to the race or national origin, political or religious convictions or affiliations of the applicant. [ch. 19, § 13]</p>
<p>(A) ancestry, color, or race;</p>	
<p>(B) cultural or ethnic background;</p>	
<p>(C) political, ideological, or philosophical belief or affiliation;</p>	
<p>(D) marital or parental status;</p>	
<p>(E) national or regional origin;</p>	
<p>(F) religion, or religious or denominational affiliation; or</p>	
<p>(G) sexual or affectional orientation or preference,</p>	
<p>or into any other status on the basis of which discrimination is unlawful.</p>	

<p>(3) <b>Written answers.</b> Where a job requires expert knowledge, the examination may seek narrative answers, in which case the examiners must examine the answers and rank the applicants without seeing their names.</p>	<p>Where written answers are required from applicants for positions calling for expert knowledge, the rules may provide for examination of the answers and the comparative ranking of the various applicants, without a disclosure of the names of the applicants to the examiners. [ch. 19, § 13]</p>
<p>(b) <b>Classified service defined.</b></p>	
<p>(1) <b>Classified service.</b> The “classified service” includes—</p>	
<p>(A) each employee of the Commission; and</p>	<p>All employees of the commission shall be in the classified service. [ch. 19, § 3]</p>
<p>(B) each officer and other employee not in the unclassified service.</p>	<p>The powers of the commission shall extend only to the classified service which shall embrace the entire service of the City except the following officers, and employees, which shall be known as the “unclassified service”, [ch. 19, § 4]</p>
<p>(2) <b>Unclassified service.</b> The “unclassified service” includes the elected officers and—</p>	<p>. . . the following officers, and employees, which shall be known as the “unclassified service”, namely: Officers who are elected by the people; members of boards and commissions; the city clerk; secretaries of the several boards and commissions serving without pay; the city engineer, the chief health officer; the Chief of police; the City assessor; superintendents, principals, supervisors of teachers and teachers in the public schools; the city attorney; the attorney of the park board; the director and librarians of the public library; the superintendent of parks; a landscape architect; a chief of park police; and the Mayor’s private secretary. None of the unclassified service shall be subject to examination or affected as to their selection, appointment, discharge or removal by the provisions of this Chapter. [ch. 19, § 4]</p>
<p>(A) for each board or commission—</p>	
<p>(i) its members,</p>	
<p>(ii) its secretary, if he or she serves without pay; and</p>	
<p>(B) each officer, and the head of each department not organized around an officer, listed in section 7.2(a)(1)–(15); and</p>	

<p>(C) any officer or other employee for whose unclassified status this charter or a general or special law provides.</p>	
<p>(c) <b>Commission.</b></p>	
<p>(1) <b>Function and powers.</b> The Civil Service Commission administers the classified service, with respect to which it—</p>	<p>The commission shall ascertain the duties of each office, position and employment in the classified service, and designate by rule as well as may be practicable, the grade and title of each office, employment or position. Each class shall comprise those offices, employments and positions having substantially similar duties. The commission shall prescribe standards of efficiency for each office, position and employment and for each class, and adapt its examinations thereto. [ch. 19, § 12]</p>
<p>(A) must classify each job into a grade based on the job's description and duties, so that each grade includes jobs with similar descriptions and duties;</p>	
<p>(B) must establish standards and qualifications for each job, and design a competitive examination that measures those standards and qualifications;</p>	

(C) must administer or provide for the administration of a competitive examination after giving public notice for each job in the classified service, and must—

(i) maintain an application register of each applicant for examination, listing the job sought;

(ii) based on the results, maintain an eligibility register listing eligible applicants in order of their standing on the examination, on which eligibility expires—

(I) for a job represented by a bargaining unit, as the collective-bargaining agreement provides;

(II) for a job not represented by a bargaining unit, as the examination notice provides; otherwise

(III) within two years, unless the Commission extends it;

(iii) certify to the board, commission, department, or officer that will fill any vacancy a list of the eligible applicants standing highest on the appropriate list from the eligibility register (see sec. 8.5(d)(2));

When a vacancy is to be filled in the classified service, the Mayor, City Council, board, commission or employing officer shall notify the commission, and the commission shall certify the highest name from the appropriate list of the eligible register, except in the case of unskilled labor, and then shall certify the name first in time on the list. All vacancies shall be filled from the names so certified and the commission shall be immediately notified of the employment, and of the compensation to be paid. The names selected shall be stricken from the eligible register and transferred to the service register. All changes in grade, title or compensation shall be likewise reported. [ch. 19, § 15]

<p>(D) must maintain and monitor a service register of each employee in the classified service, listing his or her title, compensation, employment record, and any other useful information;</p>	<p>All employees of the City of every nature excepting those in the unclassified service, shall be listed, graded and classified, and a service register prepared for the purpose, in which shall be entered, in their classes, the names, dates of birth, compensation, period of past employment, and such other facts and data as to each employee as the commission may deem useful. To enable the commission to make such service register, the Mayor, City Council, each board and commission and each appointing or employing officer shall prepare and furnish to the commission required information about all employees in the classified service, including the names and data aforesaid and such other information as the commission may call for. [ch. 19, § 6]</p>
<p>(E) may waive an examination for unskilled labor, and instead provide for hiring by fair and equitable means or arrange for tests of physical fitness or other qualifying tests; and</p>	<p>Appointment of unskilled laborers in a fair and equitable manner, without competitive examination, except such tests of physical fitness or other qualifying tests as the Commission may prescribe. [ch. 19, § 7(k)]</p>
<p>(F) may waive an examination in a particular case if—</p>	<p>In case of a vacancy in a position requiring peculiar and exceptional qualifications of a scientific, professional or expert character, the commission, upon satisfactory evidence that competition is impracticable, and that the position can best be filled by the selection of some person of recognized attainments, without examination, and after hearing in an open, regular meeting of the commission and by the affirmative vote of all three members, may suspend competition; but no such suspension shall be general in its application to such position, and all such cases of suspension shall be reported, together with the reasons therefor, in the annual reports of the commission. [ch. 19, § 16]</p>
<p>(i) the job requires unusual professional or scientific credentials or expertise; and</p>	
<p>(ii) the Commission unanimously concludes after a public hearing that a competitive examination is impracticable,</p>	
<p>in which case its next report must so note.</p>	

<p>(2) <b>Composition.</b> The Commission comprises three residents, appointed under section 8.4(b), who—</p>	<p>There shall be in the City of Minneapolis a civil service commission (hereinafter called the commission) of three commissioners, who shall be citizens of the State and residents of the City, [ch. 19, § 1]</p> <p>The Mayor shall, with the consent and approval of the City Council, expressed by a majority vote thereof, appoint as commissioners, [ch. 19, § 1]</p>
<p>(A) favor merit, efficiency, and affirmative action in the public service; and</p>	<p>persons known to favor the principle of merit, efficiency and affirmative action in the public service. [ch. 19, § 1]</p>
<p>(B) hold no other office or employment under the federal, state, municipal, or any other government, or any department, agency, court, or political subdivision of any such government.</p>	<p>No commissioner shall at the time of appointment, or while serving, hold any other office or employment under the City, the United States, the State of Minnesota, or any public corporation or political division thereof other than the office of notary public. [ch. 19, § 1]</p>
<p>Each commissioner serves a three-year term, with one commissioner’s term expiring each year on March 1.</p>	<p>Commencing in 1980, and thereafter, the term of office of each commissioner shall be three years from and after the 1st day of March of the year of such person’s appointment. [ch. 19, § 1]</p>
<p>(3) <b>Meetings.</b> The Commission must annually hold an organizational meeting on the second Monday in August.</p>	<p>The commission shall meet on the second Monday of August of each year, and at each said meeting elect a president and vice-president to serve until their successors are elected. [ch. 19, § 3]</p>
<p>(4) <b>Rules.</b></p>	
<p>(A) <b>Notice for rulemaking.</b> The Commission may, after giving public notice, adopt any necessary or prudent rule in furtherance of this section 8.5’s purposes.</p>	<p>The commission shall, from time to time, make, amend, alter and change rules, to promote efficiency in the City service and to carry out the purposes of this Chapter. [ch. 19, § 7]</p>

	Before the adoption, amendment or repeal of any rule, the commission shall give notice of consideration thereof by publishing and posting of brief notice, as required in Section 7, stating the subject of the rule or rules to be acted on. [ch. 19, § 8]
(B) <b>Contents.</b> These rules must encourage the filling of each vacancy by promotion, and provide for—	
(i) hiring, evaluation, discipline (including by suspension for up to 90 days, with or without pay), and discharge with a view toward an efficient and effective classified service;	
(ii) promotion (including raised compensation) based on competitive examination, efficiency, character, conduct, and seniority;	Promotion based on competitive examination and upon records of efficiency, character, conduct and seniority. Promotion shall be deemed, among other things, to include increase in salary, and the rules shall be framed to encourage the filling of vacancies by promotion rather than otherwise. [ch. 19, § 7(i)]
(iii) transfer among jobs in the same grade or class;	Transfer from one position to a similar position in the same class or grade [ch. 19, § 7(h)]
(iv) leaves of absence;	leave of absence, with or without pay [ch. 19, § 7(j)]
(v) reinstatement of employees laid off or otherwise discharged without fault; and	for reinstatement of persons who, without fault or delinquency, are separated from the service or reduced. [ch. 19, § 7(h)]



<p>(vi) with the Commission’s consent, temporary employment without examination in an emergency or pending a hire from the eligibility register, for up to 60 days per vacancy.</p>	<p>Temporary employment without examination, but with the consent in each case of the commission, in cases of emergency and pending appointment from the eligible list; but no such temporary employment shall continue longer than sixty days, nor shall successive temporary employments be permitted for the same position. [ch. 19, § 7(g)]</p>
<p>(C) <b>Notice of rules.</b> The Commission must send its rules, including each amendment, to—</p>	<p>The commission shall notify the Mayor, the City Council, the several boards and commissions, and each appointing officer of the city, of the rules adopted by them and all amendments thereof. [ch. 19, § 10]</p>
<p>(1) the Mayor,</p>	
<p>(2) the City Council, and</p>	
<p>(3) each other board, commission, and officer who can hire an employee in the classified service.</p>	
<p>(D) <b>Report.</b> The Commission must annually report in January to the Mayor and the City Council, and publish its report to each other board, each commission, and each officer who can hire an employee in the classified service. The report must cover the preceding calendar year, and include—</p>	<p>The commission shall in each year, on or before the 30th day of January, make to the Mayor and City Council a report, showing as fully as may be the acts and disbursements of the commission for the preceding calendar year; the rules in force at the beginning of such year and changes made during the year; the practical effect and working of the rules and of this Chapter; the results of the efforts to standardize services and compensation and the departure therefrom; together with such recommendations as the commission may see fit to make, to promote the efficiency and integrity of the public service. The commission shall furnish a suitable number of copies of such report to the Mayor, the City Council and each board and commission and each employing officer of the city. [ch. 19, § 18]</p>
<p>(1) the Commission’s rules, including any amendment during the preceding year;</p>	
<p>(2) each action under this section 8.5(c);</p>	
<p>(3) an accounting for the civil service fund;</p>	
<p>(4) the state of the civil service and any results of the Commission’s work; and</p>	

<p>(5) any recommendation for the civil service's greater efficiency and integrity.</p>	
<p>(d) <b>Employment.</b></p>	
<p>(1) <b>Application register.</b> Each applicant on the application register is entitled to notice of each examination for a job for which he or she has applied and qualified.</p>	<p>The commission shall keep an application register, in which shall be entered the names of applicants for examination, and the offices or employments they seek. All applications shall be upon forms prescribed by the commission. [ch. 19, § 9]</p> <p>Reasonable notice of the time, place and scope of each examination shall be given to each qualified applicant upon the appropriate list of the application register. The names of those found eligible shall be entered on the appropriate register. [ch. 19, § 14]</p>
<p>(2) <b>Eligibility register.</b> Except as otherwise provided by law:</p>	<p>When a vacancy is to be filled in the classified service, the Mayor, City Council, board, commission or employing officer shall notify the commission, and the commission shall certify the highest name from the appropriate list of the eligible register, except in the case of unskilled labor, and then shall certify the name first in time on the list. All vacancies shall be filled from the names so certified and the commission shall be immediately notified of the employment, and of the compensation to be paid. [ch. 19, § 15]</p>
<p>(A) each vacancy in the classified service is filled from the eligibility register; and</p>	
<p>(B) the Commission must certify the first three eligible applicants standing highest on the eligibility register, unless a board, commission, department, or officer is filling more than one vacancy from the same list, in which case the Commission must certify one additional applicant for each additional vacancy.</p>	

<p>(3) <b>Service register.</b> The City must pay an employee in the classified service only for the time and at the rate that the service register shows his or her employment.</p>	<p>After the receipt by the City Finance Officer of the payroll, the Finance Officer shall not approve the payment of any salary, wages or compensation for any office or employment in the classified service, nor countersign any warrant therefor, unless the name of the person claiming the same appears upon the service register for the time for which such salary, wages or compensation is claimed, nor at any higher rate than shown on such register; and if the City Finance Officer shall willfully or negligently approve any payment or countersign any warrant in violation of this section, the Finance Officer and the sureties on the Finance Officer's bond shall be liable to the city for the amount thereof and action may be brought therefor by any taxpayer for the use of the city without making previous request to the city to sue. [ch. 19, § 17]</p>
<p>(4) <b>Tenure.</b> After a probationary period that begins upon hiring, an employee in the classified service may be disciplined or discharged only as this charter, the Commission’s rules, or any other applicable law or agreement provides.</p>	
<p>(A) <b>Probation.</b> The probationary period is established—</p>	
<p>(1) by the applicable collective-bargaining agreement or other contract between the City and the bargaining unit or employee; or, if there is no such contract,</p>	
<p>(2) by ordinance; or, if there is no applicable contract or ordinance,</p>	
<p>(3) by a rule that the Commission adopts.</p>	

<p>(B) <b>Discharge.</b> No employee in the classified service, having completed the probationary period, may be discharged except for just cause after—</p>	<p>With the exception of firefighters initially employed after the effective date of this amendment, the police officers and assistant city attorneys, no officer or employee, after six months' continuous employment shall be removed or discharged except for cause, upon written charges and after an opportunity to be heard. No police officer after twelve months' continuous employment following the satisfactory completion of the basic peace officers' training course of the Minneapolis Police Department and no assistant city attorney or firefighter, after twelve months of continuous employment, shall be removed or discharged except for cause, upon written charges and after an opportunity to be heard. Such charges shall be investigated by or before said Civil Service Commission or by or before some officer or board appointed by said commission to conduct said investigation. The finding and decision of such commission or investigating officer or board when approved by said commission shall be certified to the appointing officer and shall be forthwith enforced by such officer. Nothing in this chapter shall limit the power of any officer to suspend a subordinate for a reasonable period, not exceeding thirty days, for purposes of discipline. In the course of an investigation of charges, each member of the commission and of any board so appointed by it or any officer so appointed shall have the power to administer oaths and shall have power to secure by its subpoena both the attendance and testimony of witnesses and the production of books and papers relevant to such investigation. [ch. 19, § 11]</p>
<p>(1) written notice of the cause for dismissal;</p>	
<p>(2) a hearing before the Commission, or an officer or board that the Commission designates; and</p>	
<p>(3) a finding by the hearing authority that the evidence supports the cause charged and warrants dismissal.</p>	
<p>(C) <b>Suspension.</b> A supervisor may, without regard to this article VIII's other provisions, discipline a subordinate employee by means of a suspension for up to 30 days.</p>	
<p>(e) <b>Administration and enforcement.</b></p>	

<p>(1) <b>Enforcement.</b> The Commission must take care that this section 8.5 and its rules are faithfully observed and enforced, for which purpose any commissioner may inquire of any responsible officer, board, commission, or department. Any commissioner in the exercise of the Commission's functions and powers, and any hearing authority that the Commission designates, may compel the testimony of any witness who may have relevant information, or the production of any relevant book, document, or thing.</p>	<p>The commission shall from time to time investigate the enforcement of this act and of the rules made under it; the action of all examiners; the duties of all departments and of all employees of the city; the efficiency of the service, and such other matters as come within the scope of this Chapter. In the course of such investigations each commissioner shall have power to issue subpoenas and to administer oaths and to compel the attendance and testimony of witnesses and the production of books and papers relevant to the investigation.</p>
<p>(2) <b>Cooperation.</b> Each officer, board, commission, and department must—</p>	<p>Any person who shall willfully testify falsely shall be guilty of perjury and any person who shall refuse to obey the lawful subpoenas or directions of the commission or any commissioners in any such investigation shall be guilty of a misdemeanor. Any member of the commission shall have power to file written charges against any employee in the classified service, and thereupon the commission shall try the charges, after not less than ten days' written notice to the person accused, in the manner and with the powers prescribed in this section; but in such case the complaining commissioner shall not sit. If found guilty of breach of duty, such employee may be removed by the commission and such person's name be stricken from the service register. The commission may make complaint to the District Court of disobedience of its subpoenas or orders under this section, and the court shall prescribe notice to the person accused and require that the person obey the commission's subpoenas and order, if found within the lawful powers of the commission, and punish disobedience as a contempt of the court. Witnesses shall be entitled to the same fees and mileage as for attendance upon the District Court, except that any officer, agent or employee of the city who receives compensation for services, shall not be entitled to fees or mileage. [ch. 19, § 19]</p>
<p>(A) furnish any information that the Commission requests for the service register;</p>	
<p>(B) administer an examination as the Commission requests, without additional compensation; and</p>	
<p>(C) cooperate with any inquiry by the Commission.</p>	

<p>(3) <b>False statement.</b> Any applicant who knowingly furnishes false information on an application for employment in the classified service forfeits—</p>	<p>Any applicant for an office or employment in the classified service, who shall knowingly make any false answer or statement upon any examination in regard to any material matter upon which such person is examined, shall thereby forfeit the right to be entered upon the register, and, in case such person has been appointed to any office or employment, shall forfeit the same and shall not within three years thereafter be eligible to any office or employment in the unclassified service of the city, nor shall such person be entitled to any of the examinations of the commission during such time. [ch. 19, § 20]</p>
<p>(A) his or her entry on the application register,</p>	
<p>(B) any employment held in the classified service, and</p>	
<p>(C) eligibility for such employment for three years.</p>	
<p>(4) <b>Bribery.</b> Any person who, in connection with or for the purpose of influencing any examination or other action under this section 8.5—</p>	<p>Any applicant for examination or for appointment to the classified service, who shall, either directly or indirectly, give, render or pay or promise to give, render or pay any money, service or other thing to any person for or on account of or in connection with such person's examination, appointment or proposed appointment, or who shall ask for or receive any recommendation or assistance from any person in the classified or unclassified service of the city, except a statement of such person's previous service and the character thereof, if any, to the city, as a subordinate under such officer or employee, shall be guilty of a misdemeanor. [ch. 19, § 21]</p>
<p>(A) offers, accepts, or solicits any money, service, or other thing of value; or</p>	
<p>(B) seeks or accepts any recommendation from any officer or employee of the City,</p>	
<p>is subject to punishment as provided by law or ordinance.</p>	
<p><b>Article IX Finance</b></p>	
<p>§ 9.1. <b>Fiscal year</b></p>	
<p>The fiscal year coincides with the calendar year.</p>	<p>The fiscal year of said City shall commence on the first (1st) day of January of each and every year. [ch. 5, § 7]</p>
<p>§ 9.2. <b>Appropriations</b></p>	

<p>(a) <b>Payments.</b> Except as this section 9.2 otherwise provides, no money may be paid out of the City's treasury except—</p>	<p>No more money than thus appropriated shall be expended for any fiscal year for any such department of the City government. [ch. 5, § 10]</p>
<p>(1) pursuant to a budgeted appropriation, and approval of a contract or order for payment, by the City Council or other authorized board or commission;</p>	<p>No money shall be paid out of the City Treasury, except for principal or interest of bonds, unless such payment shall be authorized by the City Council. [ch. 5, § 24]</p>
<p>(2) in payment of principal or interest on a bond issued or other debt incurred under this charter; or</p>	
<p>(3) pursuant to a resolution by the City Council, by three-fourths of its membership, authorizing a payment out of current funds.</p>	<p>The City Council is hereby authorized and empowered to expend for purposes not in this charter otherwise authorized during any fiscal year, moneys out of the current expense fund of said city, provided, that no part of such sum shall be expended except by a resolution adopted by the affirmative vote of at least three-fourths (3/4) of the members of said Council. [ch. 4, § 18]</p>
<p>(b) <b>Routine claims and bills.</b> The City Council (or, in the case of a matter under its charge, the Park &amp; Recreation Board) may by ordinance provide—</p>	
<p>(1) for the current payment of claims and bills incurred in the ordinary course of business, including—</p>	
<p>(A) authorized bills for goods and services,</p>	
<p>(B) payroll,</p>	
<p>(C) civil judgments against the City, and</p>	

<p>(D) worker's-compensation and other routine claims against the City;</p>	<p>The Council may provide by ordinance for the payment of all current bills incurred by the city for goods, wares and merchandise, the purchase whereof has been duly authorized for the use of the city or any of its departments without awaiting the formal vote of said City Council directing payment thereof. The City Council may further provide by ordinance for the payment of tort claims against the City and its employees, conciliation court judgements, and all current bills incurred by the city arising out of workers' compensation employee claims without awaiting the formal vote of said City Council directing payment thereof. The Park and Recreation Board may likewise by ordinance provide for the payment of tort claims against the Park and Recreation Board and its employees, conciliation court judgments, and all current bills incurred by it or under its authority for goods, wares and merchandise, and for the payment of all current bills incurred by it arising out of workers' compensation employee claims, without awaiting the formal vote of such board directing payment thereof. The ordinance may provide for the immediate payment by the City Finance Officer, out of the appropriate fund, or out of a special fund set aside for the purpose of all bills approved by the city purchasing agent. [ch. 4, § 20]</p>
<p>(2) for recovery of any overpayment, including civil liability up to double the amount overpaid; and</p>	<p>Should any bill so paid prove to be erroneous or excessive upon examination made within ninety days after payment, the payee thereof shall repay to the city on demand of the City Attorney all such excess, or be subject to an action at law for double the amount thereof. [ch. 4, § 20]</p>



<p>(3) for criminal liability for a fraud or other abuse.</p>	<p>Said ordinance or ordinances may contain such further provisions as the governing body shall deem necessary for protecting the city against fraud, irregularity and mistake in the matter of such purchase and may provide that any violation thereof shall be a misdemeanor and punishable as such. [ch. 4, § 20]</p>
<p>(c) <b>Payroll.</b> The finance officer may disburse the payroll from the appropriate funds.</p>	<p>The City Council may provide by ordinance for the payment of all employees of said City, which are paid by order of the City Council, on payrolls, to be prepared as directed by said ordinance, by heads of departments or otherwise, audited by the City Finance Officer, ordered paid by said City Council, after so being audited, and paid by the City Finance Officer which payrolls shall be retained by said Finance Officer. And also, further provided, that when any of the several boards of said City shall by resolution request the City Finance Officer to pay the respective regular employees on payrolls of the board making such request, in a similar manner as above named for paying employees who are paid by order of the City Council, then said City Finance Officer shall pay the respective regular employees of such Board so requesting the same on such payrolls. [ch. 5, § 24]</p>
<p>§ 9.3. <b>Budget</b></p>	
<p>(a) <b>Schedule.</b> Each year, for the next fiscal year—</p>	

<p>(1) <b>Goals and priorities.</b> The Mayor must deliver an annual address on the state of the City establishing the City’s goals and priorities. The City Council must review, and may amend, those goals and priorities before the Mayor recommends a budget.</p>	<p>As part of the State of the City message, the Mayor shall set forth the goals the City should accomplish in the fiscal year that begins on January 1st of the next calendar year. The City Council shall review the proposed goals, make any desired amendments thereto, and approve them prior to the Mayor’s budget submission to the City Council for the following fiscal year as directed in Chapter 5, section 8, of the Charter. [ch. 3, § 1]</p>
<p>(2) <b>Departmental estimates and recommendations.</b> By July 1, each board with taxing power and each board, commission, department, or office that the City funds must notify the Mayor and the Board of Estimate &amp; Taxation of—</p>	<p>Every office, department, board, commission and other agency of the City financed in any way by appropriations of the City Council, or having any power to levy taxes, shall, on or before the 1st day of July of each year, submit to the Board of Estimate &amp; Taxation and to the Mayor, budget information for the following fiscal year. Such budget information shall include a statement of proposed expenditure, the revenue from all sources and a recommended program for capital improvements for the ensuing five-year period. [ch. 15, § 2]</p>
<p>(A) its estimated revenue and expenses and its budgetary needs for the next fiscal year; and</p>	
<p>(B) any recommended capital improvements for the next five fiscal years.</p>	
<p>(3) <b>Recommended budget.</b> By August 15, the Mayor must recommend to the City Council and to the Board of Estimate &amp; Taxation a budget, which must—</p>	
<p>(A) include a message outlining the budget’s significant features;</p>	
<p>(B) estimate the revenue, expenses, and budgetary needs for each board, commission, department, and officer;</p>	
<p>(C) recommend any capital improvements for the next five fiscal years;</p>	

<p>(D) summarize all taxes applicable to property in the City and their effect; and</p>	
<p>(E) recommend any necessary or prudent legislation or other action affecting the City's finances.</p>	<p>No later than the 15th day of August of each year, the Mayor shall prepare and submit to the City Council and the Board of Estimate &amp; Taxation the Mayor's recommended budgets for the following fiscal year for the City Council and each board or department of the City having any power to levy taxes. Included in such budgets shall be a statement of all proposed expenditures, the revenue from all sources and a recommended five-year capital improvement program. Accompanying the budgets when submitted shall be a budget message from the Mayor outlining important features of the budget with appropriate explanatory comments. In such budget message the Mayor shall make recommendations for legislation and for other actions by other governmental bodies which actions would assist the financial programs of the City and shall further review and comment on taxes imposed on property in the City by all other taxing authorities and the effect of such total tax obligations. [ch. 5, § 8]</p>

<p>(4) <b>Maximum taxation.</b> By September 15, after a public hearing, the Board of Estimate &amp; Taxation must set the maximum amounts and rates that the City Council and other boards may levy, including the maximum amount and rate for the general fund and each other fund. The amounts and rates set under this section 9.3(a)(4) are subject to any other applicable law.</p>	<p>The Board of Estimate &amp; Taxation shall, on or before the 5th day of October of each year fix and determine the maximum amount of money and maximum rate which may be raised in the aggregate by general taxation by the City Council, board or department for each such fund, and no general taxes shall be levied in such year in excess of the amounts so fixed. [ch. 15, § 2]</p> <p>All taxes may be levied and collected within the maximum fixed by statute and within the maximum fixed by the Board of Estimate &amp; Taxation for the various purposes of said taxation and without regard to the maximum rate of taxation fixed from time to time by any board other than the boards and departments governed by this chapter. [ch. 15, § 7]</p> <p>The meetings of the Board of Estimate &amp; Taxation shall at all times be open to the public and the rules and regulations of the board shall provide for public hearings in connection with the determination of maximum amounts or maximum rates to be allowed to the different bodies, boards or commissions having power to levy taxes. [ch. 15, § 11]</p>
<p>(5) <b>Budget.</b> After a public hearing on the budget for and taxes payable in the following year, the City Council and each board must adopt a budget, which must—</p>	
<p>(A) appropriate money for each board’s, commission’s, department’s, and officer’s operations;</p>	<p>The City Council shall appropriate funds for the expenses of each department of the City government [ch. 5, § 10]</p>
<p>(B) provide for payment of the City’s general-obligation debt service;</p>	

(C) levy any tax, up to the maximum set by the Board of Estimate & Taxation, necessary for those purposes; and

After the submission of the reports of the Mayor, provided for in Section 8 hereof, the City Council shall levy such tax on all the taxable property in said City as it shall deem necessary, in addition to the other revenue of the City applicable thereto, to defray the current expenses of the City for the next fiscal year, but no such taxes for such current expenses shall in any year exceed any limitations imposed by law. [ch. 5, § 10]

The City Council shall also at the same time levy, upon all the taxable property in said city, such taxes as shall be sufficient to pay the interest to become due during such next fiscal year upon all the bonds or debt of said city, and an additional tax of three mills on a dollar of the assessed valuation of all such taxable property to provide for the principal of said bonds or debt when the same shall have become due, and the amounts collected pursuant to this section shall not be applied to any other purpose than herein named, but this restriction shall not prohibit the investment of the sinking fund hereinafter provided for. [ch. 5, § 12]

Whenever the amount of such sinking fund shall with the interest or revenues thereof computed to the time of maturity of the bonds or debt of the city, be sufficient to pay all of said bonds or debt at the maturity thereof, the levy of the three mill tax aforesaid, or so much thereof as the City Council shall determine, may be omitted, but in case by reason of decrease of interest or depreciation of investments or other cause said fund shall not be sufficient, the levy of such taxes shall be resumed. [ch. 5, § 14]

<p>(D) tax the property in the City in an amount, without regard to the maximum set by the Board of Estimate &amp; Taxation, that will satisfy any judgment against the City.</p>	<p>No limitations or restrictions herein shall be construed to prohibit the levying of taxes to pay any judgment that may at any time be recovered against said city, but in case of such judgment the city council shall at the time of making the next annual tax levy after the rendition of such judgment levy and assess a special tax upon all the property in the city or such ward thereof as may be responsible for the payment of such judgment, sufficient to pay such judgment. In case of failure to collect taxes or other cause, such levy shall prove insufficient, new taxes shall be levied until the whole of such judgment is paid. [ch. 5, § 35]</p>
<p>(6) <b>Transfers.</b></p>	
<p>(A) <b>Administrative transfers.</b> The budget or an ordinance may provide for transferring money appropriated for one purpose to another by administrative transfer without further action by the City Council.</p>	<p>The City Council may, by ordinance, establish guidelines and procedures which would allow certain revisions of appropriations to be accomplished by administrative transfer without Council action. [ch. 5, § 10]</p>
<p>(B) <b>Transfers within same board's or department's budget.</b> A board that controls its own finances may transfer money appropriated for one purpose to another within its budget only if the Board of Estimate &amp; Taxation, with at least five affirmative votes, approves a request to that effect. No such transfer may affect the proceeds from bonds issued or other debt incurred for a particular purpose.</p>	<p>The Board of Estimate &amp; Taxation may by a vote of at least five (5) of its members upon the written request of the City Council or of the governing body of any department having control of expenditures, permit the transfer of moneys from one appropriation to another appropriation within the same department during the fiscal year, but this section shall not apply to the proceeds of bonds or obligations sold by the city. [ch. 15, § 5]</p>

<p>(C) <b>Other transfers.</b> Any other transfer within the budget, or any additional expense in excess of the amount budgeted, requires action by the Council.</p>	<p>All other proposed revisions of appropriations shall be submitted . . . to the Mayor before being considered by the City Council. No appropriation resolution or ordinance referred to herein shall take effect until submitted to the Mayor for approval or objection in the manner and time as provided in Chapter 3, Section 1 of this Charter, relating to ordinances and resolutions enacted by the City Council. [ch. 5, § 10]</p>
<p>(b) <b>Finance officer.</b> The city finance officer serves as each board's and commission's finance officer, but may not serve on the board. For this article IX's purposes, each officer, board, commission, or department must cooperate with the Mayor, with the Board of Estimate &amp; Taxation, and with the finance officer and budget director, and must furnish any information that the Mayor, the Board, or the budget director requests.</p>	<p>In the performance of their duties under this section, the Mayor and the Budget Director shall have access to all records and information pertaining thereto possessed by the City Council, or any City board, commission or other agency and shall be assisted as necessary by the officers and employees thereof. [ch. 5, § 8]</p> <p>For the purposes of this Chapter the Board of Estimate &amp; Taxation shall employ such assistance as it may deem necessary from time to time and shall have access to all the boards and departments of the city and to all accounts, contracts, records and files thereof, and shall have the right to call upon every board or department and every member and employee for any information it may deem necessary, and it shall be the duty of every board or department and every member and employee thereof to furnish the information so called for. [ch. 15, § 8]</p>
<p>§ 9.4. <b>Debt</b></p>	
<p>(a) <b>Borrowing power.</b></p>	

(1) **Conditions.** The City may issue bonds, borrow money, or otherwise pledge its credit only for a lawful purpose, consistent with this charter; and with the concurrence of—

Whenever the sinking fund, provided for in section fifteen (15) [fourteen (14)] hereof, shall be insufficient to pay all the bonds of the city that may at anytime become due, or when it shall by the City Council be deemed advisable and for the interests of the city to take up any bonds of the city not due, which may be offered for sale by the holders thereof, the City Council may issue the bonds of the city, to run not to exceed thirty years, on such terms as to place of payment and rate of interest as may be deemed advisable to such an amount as may be necessary to meet such deficiency or to take up and refund such bonds not due, provided the refunding bonds shall in no case draw a higher rate of interest than the bonds so taken up; but neither said City Council, nor any officer nor officers of said city, shall otherwise, except as in this Charter or by state law authorized, have authority to issue any bonds, or create any debt, or any liabilities against said city in excess of the amount of revenue actually levied and applicable to the payment of such liabilities. [ch. 5, § 15]

The City of Minneapolis and the City Council of the city, in addition to all other powers to them hereby granted, shall have, possess, be vested with and may from time to time exercise and execute any and all powers and authorities to issue and sell bonds of the City of Minneapolis and incur indebtedness for and on behalf of the city, which have been granted to, vested in or conferred upon the City of Minneapolis or the City Council of the city, or both or either thereof, under or by virtue of any and all special and general laws and acts of the State Legislature made applicable to the City of Minneapolis as a city of the first class not governed under a home-rule charter or otherwise made applicable to the City, and conferring such powers and authorities to issue and sell bonds and incur indebtedness for



	<p>and on behalf of the City, and passed by the Legislature prior to the adoption of this Charter, which powers and authorities shall not have been fully exercised or executed and are still held and possessed by the City or City Council at the time of the adoption of this Charter by the electors of the City. And all such powers and authorities to issue and sell bonds of the City and incur indebtedness for or on account of the City, shall continue under this Charter and the City and City Council shall have and possess full power and authority to, and may from time to time, as they may deem necessary and expedient, incur indebtedness for and on behalf of the City of Minneapolis and issue and sell municipal bonds of the City in such amounts and for the several purposes and on the terms and conditions specified in the aforesaid several laws and acts of the Legislature conferring such powers and authorities, to the extent such powers and authorities shall not have been exercised at the time of the adoption of this Charter, and to the same extent as if this Charter were not adopted and as fully and to the same extent as if the provisions of said laws and acts of the Legislature were incorporated in and made a part of this Charter. [ch. 5, § 17]</p> <p>In addition to the foregoing, the City Council shall at times hereafter, have the power and authority at its option and through its proper officers to issue and sell at private sales, through such agencies and in such manner and at such time and place and with or without published or other notice of such sale, as the City Council shall determine, all or any part of the municipal bonds of said City, the issue and sale of which have been, now are, or shall hereafter, be authorized by law. [ch. 5, § 17]</p>
(A) the City Council, by two-thirds of its membership;	

<p>(B) the Board of Estimate &amp; Taxation, with at least five affirmative votes; and</p>	<p>Upon the request of the City Council expressed by ordinance or resolution adopted by the votes of two-thirds of all members thereof, the Board of Estimate &amp; Taxation in its discretion shall have power by a vote of at least five (5) of its members to incur indebtedness for municipal purposes other than the purchase of public utilities and to pledge the credit of the city for the payment of principal and interest and for that purpose shall have power to issue and sell negotiable bonds of the city or any other form of obligation it may deem best, but any such bonds or obligations shall be sold only in the manner provided by Section 1856, General Statutes 1913, to the purchaser who will pay the highest price therefor at the rate of interest fixed by the Board of Estimate &amp; Taxation and the obligations or bonds shall be drawn accordingly; [ch. 15, § 9]</p>
<p>(C) any other board in which this charter vests the borrowing power, by two-thirds of its membership.</p>	<p>If the proceeds of the bonds or obligations be intended for the use of any board or department the expenditures of which are not controlled by the City Council, there shall be in addition to the request by the City Council, a like request expressed by ordinance or resolution adopted by the governing board of such department by the vote of at least two-thirds of the members thereof. [ch. 15, § 9]</p>
<p>(2) <b>Contract.</b> Whenever the City acting under this charter issues bonds, borrows money, or otherwise pledges its credit, then its contract with the bondholder or other creditor incorporates this section 9.4's provisions and creates an obligation that no subsequent amendment or other action by the City can impair. Any debt contracted or engagement entered into before this charter's latest revision is as valid against the City under this charter as under any prior version of this charter.</p>	<p>The substantial maintenance of the provisions of this and the preceding section for the payment of the principal and interest of the bonds or debt of said city, is hereby declared to be part of the contract with the holder of any bonds of the city that have been or may hereafter be issued, and shall be kept inviolate. [ch. 5, § 14]</p>

(b) **Sinking fund.**

(1) **Fund.** The City Council must maintain a sinking fund sufficient at least for paying off the City's debt as it comes due. Any tax collected for interest or principal on any such debt goes into the sinking fund, and may not be diverted to any other purpose. Any other revenue not otherwise appropriated, and any proceeds from bonds whose purpose has been discharged or abandoned, go into the sinking fund.

(2) **Fund insufficient.** If—

(A) the sinking fund will not pay the City's debt that has come due, or

(B) the City Council finds that buying any bonds not due whose holders are offering them for sale will serve the City's interests,

then the Council may issue refunding bonds covering the shortfall. No such bond's term may exceed 30 years, and no such bond may bear interest at a higher rate than any bond that it refunds.

In addition to the aforesaid levy of three mills the City Council shall have the power and authority, in its discretion, to transfer and cause to be transferred, by resolution duly passed, to the credit of such sinking fund, any or all unused balances of moneys and funds which are the proceeds of bonds heretofore or hereafter issued and sold by the city for any municipal purpose whatever, including bonds issued for public schools, public libraries and public parks and parkways, whenever the improvement or purpose for which the bonds were or shall be issued has been completed or abandoned, and any and all unused balances of moneys and funds now or hereafter existing in the permanent improvement fund and permanent improvement revolving fund of the city, and any or all unused moneys and funds now or hereafter raised by general taxation in the city for any purpose whatsoever, and to invest and cause to be invested all said moneys and funds in the same manner as the sinking fund of the city is now or may be invested, or in such manner as the City Council may in its discretion deem best, and to use and cause to be used said moneys and funds for the payment and redemption of the bonds and other indebtedness and obligations of the city as they mature and become payable. [ch. 5, § 13]

In order to provide for the certain payment of the bonds and debts of the city, the City Council is authorized to maintain the sinking fund already established, and to provide by ordinance for the care, investment and security thereof, and from time to time to amend such ordinances in such manner as may be necessary or expedient but shall have no authority to abolish such sinking fund until all the debts of the city are fully paid, nor shall it divert said funds or any revenue or increase thereof to any other purpose. All amounts, if any there be, collected of the tax to pay

	<p>the interest on the bonds of the city in excess of the amount of such interest, the whole amount of the three mill levy for the payment of the bonds of the city provided for in the preceding section, and all revenues of the city not otherwise appropriated, shall be applied to the increase of such sinking fund. [ch. 5, § 14]</p>
<p>(c) <b>Premium from bonds.</b> Any premium received from selling bonds must service those bonds.</p>	
<p>(d) <b>Capital improvements.</b> The City may not issue bonds, borrow money, or otherwise incur debt in connection with any capital improvement where the debt exceeds \$15 million for the entire project unless the voters so authorize.</p>	<p>provided, that where, with respect to any and all types and forms of obligation or indebtedness authorized by this Charter and by the laws of the State of Minnesota, the aggregate amount of any such obligations or indebtedness to be issued or incurred for any improvement, including but not limited to acquisition, development, construction or betterment, of any public building, stadium, or other capital improvement project, shall in all phases from inception to completion exceed Fifteen Million Dollars (\$15,000,000.00), the Board of Estimate &amp; Taxation shall not issue or sell any bonds or other obligations nor incur any indebtedness for such purpose without the approval of a majority of the electors voting on the question of issuing such obligations or incurring such indebtedness at a general or special election. [ch. 15, § 9]</p>

<p>(e) <b>Professional sports facility.</b> Neither the City, nor any board, commission, committee, or department, nor any governmental body whose territorial jurisdiction is coextensive with or falls wholly within the City, may finance any professional sports facility in an amount greater than \$10 million unless the voters in an otherwise scheduled election (and not an election held only for that purpose) so authorize. For this section 9.4(e)'s purposes, "finance" includes applying existing realty, infrastructure, overhead, or other resources, and forgoing taxes or any other revenue, as well as spending money directly, issuing bonds, or otherwise incurring debt.</p>	<p>The City of Minneapolis, Minneapolis Community Development Agency, or any city department, agency, commission, or board, shall use no city resources over \$10 million dollars for the financing of professional sports facilities without the approval of a simple majority of the votes cast on the question, in a ballot question put to the public at the next regularly scheduled election. City resources are defined for these purposes as: Tax increment financing, bonds, loans, land purchase or procurement, land or site preparation, including necessary infrastructure such as roads, parking development, sewer and water, or other infrastructure development, general fund expenditures, sales tax or other taxes, deferred payments, interest free or below market interest rate loans, the donation or below market value sale of any city resources or holdings or any other free or below cost city services. The ballot question shall not be put before the public in a special election, in order to prevent the costs associated with special elections. [ch. 15, § 13]</p>
<p>(f) <b>Public utilities.</b> The City may not issue bonds, borrow money, or otherwise incur debt for the purpose of acquiring a public utility.</p>	<p>Upon the request of the City Council expressed by ordinance or resolution adopted by the votes of two-thirds of all members thereof, the Board of Estimate and Taxation in its discretion shall have power by a vote of at least five (5) of its members to incur indebtedness for municipal purposes other than the purchase of public utilities . . . . [ch. 15, § 9]</p>
<p>(f) <b>Standing.</b> Any taxpayer may enforce this section 9.4, and any creditor may enforce section 9.4(a)–(c), by an action in the district court.</p>	<p>In case the City Council, Finance Officer, or other city officers shall violate or neglect to conform to any of the provisions of this section, any taxpayer of the city, or any owner of any of the bonds of said city, shall have the right to maintain, in any court of competent jurisdiction, any appropriate action to enforce compliance therewith. [ch. 5, § 14]</p>

<p>§ 9.5. <b>Taxable value</b></p> <p>For this charter’s purposes—</p> <p>(a) “taxable property” includes both real and personal property; and</p> <p>(b) a taxable property’s “value” means the assessor’s estimated total market value.</p>	
<p>§ 9.6. <b>Improvements</b></p>	
<p>(a) <b>Permanent-improvement fund.</b></p>	
<p>(1) <b>Fund.</b> The City Council must maintain a permanent-improvement fund into which go the proceeds from—</p>	
<p>(A) each bond issued, and each tax levied, for permanent improvements, whose proceeds may not be diverted to any other purpose; and</p>	

<p>(B) each special assessment levied against the property fronting or benefited by any improvement of a local character.</p>	<p>There shall be a fund of the city to be known and designated as the Permanent Improvement Fund, which shall be kept distinct from all other funds of the city. In the Permanent Improvement Fund shall be kept and placed the proceeds of all bonds heretofore or hereafter issued by the city for permanent improvements, and the proceeds of all taxes levied by the city for permanent improvements. The City Council may provide for the payment out of said fund of the expenses of any such improvement as may be assessed in whole or in part upon any special property to be benefited by such improvement, and in advance of the collection of such assessments. [ch. 5, § 16]</p> <p>From said fund shall also be paid all such portions of the expenses of such assessable improvement as shall devolve on said city, and also the expense of all bridges, buildings, water works, and other permanent improvements not otherwise specially provided for by law. No part of such fund shall ever be applied to the payment of the current expenses of said city, nor to any other purposes than such as are herein designated. All sums collected upon special assessments, whose costs shall have been advanced out of such fund, shall be returned to said fund. [ch. 5, § 16]</p>
<p>(2) <b>Payments.</b> The Council may pay out of the fund for any improvement of a local character—</p>	
<p>(A) in anticipation of revenue from a special assessment levied against the property fronting or benefited by the improvement; or</p>	<p>The City Council may provide for the payment out of said fund of the expenses of any such improvement as may be assessed in whole or in part upon any special property to be benefited by such improvement, and in advance of the collection of such assessments. [ch. 5, § 16]</p>

<p>(B) to the extent that the City otherwise bears the improvement's cost.</p>	<p>In all such cases the City Council may levy with the other City taxes, a tax sufficient to pay the amount not so assessed upon abutting land on property within the City subject to general taxation, and may direct into what fund the proceeds of such tax shall be paid. [ch. 5, § 18]</p>
<p>(b) <b>Tax.</b> The City Council annually—</p>	
<p>(1) must tax the taxable property in the City in an amount that covers the cost of any permanent improvement not defrayed by special assessment, and may levy an additional tax for permanent improvements as long as the total tax for permanent improvements does not exceed 0.0025 percent of the value of taxable property in the City, and</p>	<p>The City Council shall annually, at the time of making the other tax levies of said city, levy a tax sufficient to replace all expenditures made from said fund, not provided for by such special assessments, and may by tax-levy provide for the increase of such fund to such amount as may be deemed necessary, provided, that the whole amount of tax levied in any year shall not exceed two and one-half (2 1/2) mills on a dollar of the assessed valuation of the taxable property of said city. [ch. 5, § 16]</p> <p>In all such cases the City Council may levy with the other City taxes, a tax sufficient to pay the amount not so assessed upon abutting land on property within the City subject to general taxation, and may direct into what fund the proceeds of such tax shall be paid. [ch. 5, § 18]</p>



<p>(2) may tax the taxable property in the City up to 0.0025 percent of its value for sewers and related infrastructure, the disposal and treatment of sewage and other waste, and related purposes, for which the City may acquire realty and extend infrastructure beyond the City's boundaries.</p>	<p>In addition to the foregoing authority to levy an annual tax of not to exceed 2 1/2 mills for permanent improvements, the City Council shall have and is hereby vested with power and authority to levy an additional annual tax of not to exceed 2 1/2 mills on each dollar of the assessed valuation of the taxable property of the City, and to use the proceeds thereof, for the purposes of the construction within or without the City of connecting and intercepting sewers, sewage disposal plants, and other necessary works that may be required for the treatment, reduction or disposal of sewage and industrial wastes, and for the acquisition of lands, easements and sites necessary therefor. [ch. 5, § 16]</p>
<p>(c) <b>Special assessments.</b></p>	

(1) **Improvements.** The City Council may levy a special assessment that partly or wholly defrays the cost of any improvement of a local character against the property fronting or benefited by the improvement.

The City Council shall have authority to determine in and by any resolution duly passed directing that any arterial street in the City of Minneapolis, or any part thereof which may be paved, what portion of the cost of such paving shall be defrayed by a special assessment upon the real property fronting thereon. Such proportions, however, shall in no case be less than one-half of the cost to the City of Minneapolis of paving that part of the arterial street lying between the center line thereof and such abutting property. [ch. 5, § 18]

Whenever the proportions to be so assessed are determined in the manner aforesaid, the assessment shall be levied accordingly and the remaining cost of such paving shall be paid by the City out of any funds in its treasury not derived from such special assessment available for paving purposes. [ch. 5, § 18]

Whenever the City Council shall determine to lay out or open new streets or alleys in said city, or to widen, straighten or extend any that now exist or may hereafter exist, or for the purpose of drainage, construction of bridges or making other necessary public improvements, or for the improvement of the health or sanitary condition of the people of said city, shall determine to enter upon any tract of land and lower, raise, change the course of or divert any stream of water (except the Mississippi river) or any ditch or drain within the limits of said city, it may, for such purposes, purchase or condemn any real estate or interest therein which is private property and provide for the payment of the value of such property as may be taken for such improvement, and all damages done to any private property by reason of such improvement, and the expense of making such improvement, where it consists in lowering, raising, diverting or changing the course of any stream of water, ditch or

	<p>drain, by assessing, levying and collecting the whole expense of such improvement, or such parts thereof as may be considered equitable, upon the property to be benefited by such improvement, without regard to cash evaluation; but no assessment for such improvement shall exceed the actual benefit to the property upon which the same shall be assessed, and in case the whole expense of such improvement shall exceed the benefits accruing therefrom to any specific property the excess of such expense shall be made a general city charge and be paid from the Permanent Improvement fund of the city. [ch. 8, § 10]</p>
<p>(A) <b>Authority.</b> When levying a special assessment for an improvement, the City may proceed under this section 9.6(c) or under any other applicable law.</p>	
<p>(B) <b>“Improvement” defined.</b> For this section 9.6(c)’s purposes, an “improvement” includes—</p>	
<p>(i) the abatement of a nuisance,</p>	
<p>(ii) public-utility or service charges,</p>	
<p>(iii) solid-waste-disposal charges, or</p>	
<p>(iv) any service or improvement to the public right-of-way, including but not limited to—</p>	
<p>(I) maintaining a sidewalk,</p>	
<p>(II) paving, repaving, or maintaining a public way or an alley, or any gutter along a public way or an alley,</p>	

<p>(III) laying, relaying, maintaining, or extending a water main or sewer pipe in or through any public way or any alley, and</p>	
<p>(IV) installing, operating, or maintaining a streetlight.</p>	
<p>(C) <b>Procedure.</b> To levy a special assessment under this section 9.6(c)—</p>	
<p>(i) The City Council must adopt a resolution specifying the improvements to be made. The Council may amend or rescind the resolution during the procedures for which this section 9.6(c)(1)(C) provides.</p>	<p>Whenever the City Council shall determine to cause to be paved or repaved any street, lane or alley in said City, or any gutter or gutters along any such street, lane or alley or to lay, re-lay or extend any water mains or sewer pipes in or through such streets, lanes or alleys or any portion thereof, or to construct improvements in the public right-of-way in commercially zoned areas or to install street lighting, it shall determine and designate in a general way as nearly as may be convenient, the character and extent of the improvements, and the materials to be used therein, [ch. 10, § 8]</p>
<p>(ii) The public-works department must report to the Council—</p>	<p>and thereupon it shall be the duty of the Department of Public Works to make and present to the City Council an estimate of the cost of such improvements, a list of the several lots and parcels of land which will be benefited by such proposed improvements, and the names of the owners of the several parcels as nearly as the Department of Public Works can readily ascertain the same; [ch. 10, § 8]</p>
<p>(I) the estimated cost, and</p>	
<p>(II) an assessment roll identifying each property fronting or benefited by the improvement, and each such property's owner or taxpayer.</p>	

<p>(iii) The city clerk must record the department's report in the Council's proceedings, which constitutes sufficient notice of the proposed assessment to each property owner, taxpayer, and other interested person, except as this section 9.6(c)(1)(C) otherwise provides.</p>	<p>a brief minute of the reception of such report shall be made and published in a record of the proceedings of the City Council, which, except as otherwise provided in this section, shall be held to be sufficient notice to all persons concerned; [ch. 10, § 8]</p>
<p>(iv) After the department's report, the Council may direct the department to advertise for and receive bids for the work and materials necessary for the improvement. The Council may not otherwise consider or act upon the department's report—</p>	<p>and such report shall lie over without any assessment being made until the next regular meeting of the City Council which shall occur at least one week after the reception of such report; but the City Council in its discretion may direct the Department of Public Works to advertise for and receive in the meantime bids for doing the work and furnishing the material required to construct and complete such improvement; and report the same to the Council at the meeting of the City Council to which such report is laid over, or at any subsequent meeting; the City Council may consider such estimate and list, and any further communications from the Department of Public Works respecting the matter, and shall hold a public hearing, after giving notice by mail to the owners of the properties to be assessed and prior to contracting for or commencing with construction. [ch. 10, § 8]</p>
<p>(I) before the next regular meeting held at least one week after the report, and</p>	
<p>(II) after a public hearing held in a manner for which the Council must provide by ordinance, which ordinance must provide for mailed notice to each owner or taxpayer of each property fronting or benefited by the improvement.</p>	

(v) The Council may then assess and levy the improvements' cost against the property fronting or benefited by the improvement, in the proportion to which the improvement benefits each such property. The assessment and levy may occur within one year before work begins on the improvement.

The City Council may adhere to its resolution for making such improvements or may modify the character of the same, or abandon it. If the City Council shall determine to go on with such improvements, whether modified or not, it shall determine what portion of the cost of such improvements is to be paid from city funds and what portion of the cost is to be levied as assessments against properties benefited by such improvements, and it may, either before or after having contracted for or commenced with the construction of such improvements, estimate and fix upon the cost of such improvements, may assess and levy the portion of such cost which is to be paid through assessments upon the same lots and parcels of land in the City as the Council shall deem benefited, in proportion to such benefits, irrespective of whether or not the property abuts on the improvement; [ch. 10, § 8]

(2) **Parks and parkways.** The Park & Recreation Board may levy a special assessment that partly or wholly defrays the cost of condemning realty for a park or parkway, or of any improvement in or along a park or parkway, against the property fronting or benefited by the park, parkway, or improvement. The City Council may levy an assessment with respect to an improvement in or along a park or parkway only after a request by the Park & Recreation Board.

The said Park and Recreation Board shall have and exercise all such powers and jurisdiction over and in relation to parkways as now is, or hereafter may be, conferred upon the City Council in respect to the laying out, opening, widening and improving, vacating and discontinuance of streets; the grading, paving and curbing thereof; the construction of sidewalks; and the cost of all lands acquired, and of all improvements made by said Board pursuant to this section shall be levied upon and collected from the property specially benefited thereby. . . .

. . . .

The Park and Recreation Board is hereby authorized in its discretion to cause curb and gutter or either to be built along any side of any parkway or any portion thereof, and to cause to be constructed and built any sidewalk along any parkway or any portion thereof, such curb, gutter and sidewalk to be built in such manner and of such materials as it may direct, and to collect the expense and the cost of the same by special assessment upon the property fronting upon such improvements on the same side of the street; but the expense of so improving any part of such parkways as shall be in front of property exempt from such assessment, or property belonging to the City shall be paid from the general fund of said Board.

. . . . Whenever said Board shall deem it necessary that any sidewalk shall be constructed or reconstructed along a parkway in said City, it shall by resolution direct such construction or reconstruction . . . the said Board shall forthwith proceed to ascertain the expense of constructing the same and assess and levy such expense upon and against each lot and parcel of land upon which said sidewalks shall front. . . .

	<p>If the owner of any lot or parcel of land fronting on any such parkway shall suffer any sidewalk along the same to become broken or out of repair, the said Board may repair the same in a good and substantial manner, and assess and levy upon each of the lots and parcels of land fronting or abutting upon sidewalks which have been so repaired, the cost and expense of making such repairs. [ch. 16, § 15]</p>
<p>(3) <b>Services.</b> The City Council or the Park &amp; Recreation Board may likewise assess against the property benefited the cost of municipal services to any street, sidewalk, or other property.</p>	
<p>(4) <b>Ordinances.</b> The City Council and the Park &amp; Recreation Board each, by ordinance—</p>	
<p>(A) must establish the procedure for levying a special assessment, including the procedure for any appeal;</p>	<p>the City Council by ordinance shall adopt a procedure providing for a public hearing to be held prior to the adoption of the assessments for any improvements. A notice of such hearing, including a statement of the amount of the proposed assessment, shall be required to be mailed to the owners of the property to be assessed. Included with the notice shall be a statement that if after the City Council adopts the assessments, the owner of the property is dissatisfied with the assessment against the property the owner may appeal to district court by serving a notice upon the Mayor or the City Clerk within thirty days after the City Council has adopted the assessments and by filing the notice with the clerk of district court within ten days after its service and the City Council shall cause to be made, and shall adopt an assessment roll thereof which shall be in any form which the City Council may deem proper. [ch. 10, § 8]</p>



<p>(B) may provide for a lien from an assessment and for the lien’s priority; and</p>	<p>No sale under execution or other proceedings upon a judgment, decree, foreclosure or lien, and no transfer or mortgage shall divest or affect the lien of any assessment, for any tax or for any improvements chargeable to or assessed against the property under this Charter, although the confirmation of such assessment may be subsequent to the lien of such judgment, decree or other lien or to such transfer or mortgage. [ch. 10, § 25]</p>
<p>(C) may provide for the authority to correct, modify, or cancel a levied assessment.</p>	
<p>(5) <b>County auditor.</b> The City Council or the Park &amp; Recreation Board may—</p>	
<p>(A) require that the county auditor furnish information about benefited property and its ownership in connection with a special assessment;</p>	
<p>(B) set the rate, at least five cents per entry, at which the City compensates the county for this service; and</p>	
<p>(C) annually deliver, by October 10, its assessment rolls to the county auditor, in which case the auditor must—</p>	
<p>(i) collect the assessed payment with and in the same manner as other taxes, and</p>	

(ii) pay the money collected, with interest, to the City or to the Park & Recreation Board (as the case may be) along with other collected taxes being paid.

The City Clerk shall record all assessment rolls of special assessments in books to be kept by the City Clerk for that purpose, and shall, on or before the tenth day of October of every year, deliver to the County Auditor of said County of Hennepin all such assessments rolls not theretofore delivered, and the said County Auditor shall extend the assessments in proper column against the property assessed, and such assessment shall be collected and the payment thereof enforced with and in like manner as state, county and other taxes are collected and the payments thereof enforced, and such assessments when collected shall be paid over by the County Treasurer to the City Finance Officer of said city, together with all costs, penalties and interest collected thereon, at the time of making payment of city taxes to the City Finance Officer. [ch. 10, § 15]

When the City Council shall order any improvements or work which is to be paid for by special assessments on the abutting property, the Department of Public Works of the City of Minneapolis shall make a written request of the County Auditor of Hennepin County for a list of the descriptions of lots or other parcels and blocks or other divisions of real estate or land lying upon or along the streets, lanes, alleys, avenues or other public grounds on which said improvements are to be made, together with the names of the respective owners of each of said lots or parcels of land or real estate so far as they can be ascertained by said Auditor from the records of the Auditor's office, and said Department of Public Works may accompany such request with such plats or other information as may be necessary to enable such Auditor readily and accurately to make such list. Upon the receipt of such request said County Auditor shall promptly make and return to said Department of Public Works such list of

	<p>descriptions and owner's names called for. For making such list and for keeping all of the books which may be required of said Auditor under the various special assessment plans which have now or may thereafter be adopted by the City Council of the City of Minneapolis, which shall include every kind of entry whether ordered or requested by said City Council or any Court, said city shall pay said County Auditor the sum of five (5) cents for each entry of a special assessment entered by the Auditor upon the tax list of the county, the same to be payable upon the completion of the tax list for each year. [ch. 10, § 29]</p>
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(d) **Review of unassessed improvements.** If the City Council or the Park & Recreation Board votes to acquire realty for the City's system of streets or of parks and parkways, and the cost is not wholly assessed against the benefited property, then the City may not begin incurring any related expense until 30 days after the board voting for the acquisition determines the resulting awards and assessments and so notifies the Board of Estimate & Taxation. The Board of Estimate & Taxation, with at least five affirmative votes, at a public hearing of which at least 14 days' notice was given, may set aside the awards and assessments and thereby cancel the acquisition. But the acquisition may proceed without waiting for 30 days, and the City may begin incurring related expenses, if the Board of Estimate & Taxation, with at least five affirmative votes, approves the acquisition.

Within ten days after the City Council, or the Board of Park Commissioners, shall adopt a report, or pass a resolution confirming the awards and assessments in any proceedings under Chapter 185, General Laws of 1911, as amended, the entire cost of which is not to be paid out of assessments against the benefited property, the City Clerk, or in the case of the Board of Park Commissioners, its Secretary, shall serve upon the Secretary or any member of the Board of Estimate and Taxation a certified copy of such report or resolution and the action taken thereon. Such service and the proof thereof shall be made in the manner required for serving a summons in the District Court. Within thirty days after such service, such proceedings may, by a vote of at least five of its members, be set aside by the Board of Estimate and Taxation, which action shall have the effect to cancel all awards and assessments and terminate and abandon the entire proceedings. No action setting aside such proceedings shall be taken by said Board of Estimate and Taxation, except after public hearing, of which not less than two weeks' published notice shall be given by two publications, once each week for two successive weeks, in the official newspaper of the City. Until the expiration of such thirty day period no further expense shall be incurred upon any such proceedings unless the Board of Estimate and Taxation shall in the meantime by vote of five of its members, approve the said proceedings. [ch. 15, § 6]