

TO: Members of the Minneapolis Charter Commission  
and Deputy City Attorney Peter Ginder

FROM: Joseph LaBat  
Assistant City Attorney

DATE: August 18, 2003

RE: Ordinance drafting requirements for proposed Charter  
Revision

### **MEMORANDUM**

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The on-going Charter revision when complete will require a number of provisions previously in the Charter to be recodified in Ordinance form. I have gone through the draft revision and have listed below by Chapter the provisions that would have to be so recodified. This list will change as the revision process goes forward. Additionally, I have not included provisions relating to the Park or Library Board, as I am unclear as to what body would enact the new ordinance - Council or one of the Boards.

The purpose of this list is merely to act as a guide for the impact to the City Attorneys Office relative to ordinance drafting, when that is required, as well as a general outline for inquires that may come from the Commission to the City Attorney's Office. These sections will probably produce the bulk of the Commissioners questions.

#### CHAPTER 1 - CITY AND WARD BOUNDARIES

- § 3 (b)(3) Redistricting board member per diem.
- § 21. City Officers to deliver property.
- § 22. City officers not to have interest in city contracts.
- § 25. Inventory of City property.

#### CHAPTER 2 OFFICERS ELECTIONS

- § 6 Election judges.
- § 8 Ballots and ballot boxes.
- § 13 filing for nomination.
- § 17 Removal from City.

§ 19 Violations by officers.

CHAPTER 3 POWERS AND DUTIES BY OFFICERS

§ 1 Mayor to sign city contracts.

§ 5 City Clerk duties.

§ 6 Assistant City Clerk duties powers.

§ 7 City Attorney powers and duties.

§ 8 City Engineer a P. E. and may appoint an Assistant Engineer.

§ 9 City Engineer duties and powers.

§ 10 City Engineer plans and surveys, city property.

§ 11 Finance Officer powers and duties, Assistant Finance Officer.

§ 12 Finance Officer to Countersign Bonds, etc.

§ 13 Finance Officer to continue.

§ 14 Finance Officer to continue.

§ 15 Finance Officer to continue.

§ 16 Finance Officer to continue.

§ 17 Finance Officer to continue.

§ 18 Finance Officer to continue.

§ 19 Finance Officer to continue.

§ 20 Finance Officer to continue.

§ 21 City Officers to deliver property.

§ 22 City Officers not to have interest in city contracts.

§ 25 Inventory of City property.

CHAPTER 4 - CITY COUNCIL, POWERS, DUTIES

§ 5 City council to make Ordinances. License not to be longer than one year. Liquor license regulations. Penalties for violations of ordinances power to make ordinance.

§ 6. City Council impose penalties for breach of ordinance.

- § 7 City Council may provide for confinement in Workhouse.
- § 8 Style of Ordinances.
- § 9 Ordinances. Publication thereof for them to become effective.
- § 10 Judicial Status of Ordinances.
- § 13 City Council to Audit Officers.
- § 14 City Council control of finances and property.
- § 15 City Council to have power to acquire property.
- § 16 License revocation.
- § 19 Purchasing Department.
- § 20 Property of current bills and judgements.
- § 23 Authority for MIDC, Minneapolis Industrial Development Commission.

CHAPTER 5 - TAXATION AND FINANCE

- § 1 City Assessor duties.
- § 2 City Assessor laws governing.
- § 3 Board of Equalization.
- § 4 Board of Equalization meetings.
- § 5 Board of Equalization duties of City Clerk.
- § 6 Assessors' salaries.
- § 8 Mayor's budget and Office of Budget.
- § 9 Revenues.
- § 11 Taxes for Streets.
- § 14 Sinking fund - Finance Officer's duties.
- § 17 Denomination's of City Bond's.
- § 19 Finance Officer to notify Council when funds are deficient.
- § 20 Taxes levied by resolution.

- § 21 Statement of tax levy.
- § 22 County Treasurer to pay over taxes.
- § 23 County Auditor tax statement.
- § 24 City Orders.
- § 25 Orders to be cancelled.
- § 26 Destruction of cancelled bonds.
- §27 Depositories of City funds.
- § 28 Designated Banks.
- § 29 Statement of Deposits.
- § 30 Finance Officer - Liability.
- § 31 Finance Officer - Secure interest.
- § 32 City Council require new bonds.
- § 33 Bonds to continue.
- § 34 Orders paid out of General Fund.
- § 35 Judgements. Any special levy for the payment of a judgment, when excess funds are realized, paid into General Fund.

CHAPTER 6 - POLICE DEPARTMENT

- § 1 Power of Mayor, appointment of Chief.
- § 2 City Council's duties to police.
- § 4 Oath and Bond of police.
- § 5 Community Service Bureau and Director.

CHAPTER 7 - FIRE DEPARTMENT

- § 1 Fire limits.
- § 2 City Council - duties.
- § 3 Fire Apparatus.
- § 4 Fire Department Rules.

- § 5 Chief Engineer.
- § 6 Chief Engineer Appointments.
- § 7 Fire Marshall.
- § 8 Fire Police.
- § 9 Authority of Chief Engineer.
- § 10 Expenses.
- § 12 City Council to adopt enforcement measures and to five chief extraordinary powers.

CHAPTER 8 - HIGHWAYS AND BRIDGES

- § 1 City Council to Control Streets.
- § 2 Street Grades.
- § 5 Contract Work.
- § 6 City Engineer.
- § 7 Conflict.
- § 8 Bribes.
- § 9 Bridges.
- § 10 Opening of streets - drainage.
- § 12 Owners to build & repair sidewalks.
- § 13 Sidewalk repairs.
- § 14 Funds for sidewalks.
- §15 Ground to be graded.
- § 16 Street sprinkling.
- § 17 Obstruction of streets.
- § 19 Action for injuries.
- § 20 Railways.
- § 22 City Council - plans.

§ 23 Liability of City in City district.

§ 24 Contracts not to be awarded.

CHAPTER 9 - WATER WORKS

§ 1 Council to maintain.

§ 2 Extension of Water Works and Sewers.

§ 3 Assessments for water mains.

§ 4 Assessments for sewers.

§ 5 Branch pipes & sewers.

§ 6 Drainage of marshes.

§ 7 City Council in charge of construction, etc.

§ 8 Water Works fund.

§ 9 Finance Officer - duties.

§ 10 City Council to provide office space.

§ 11 City Council to order water mains.

§12 Pump house repairs.

§ 13 Expense of pump house.

§ 14 Water rates.

§ 15 Proper owners responsible for rents.

§ 16 Damage to Water Works or property.

CHAPTER 10 - LOCAL IMPROVEMENTS - ASSESSMENTS

§ 1 Grounds for public improvements.

§ 2 City Clerk to give notice.

§ 3 Plat & survey.

§ 4 Bonds, abstract, compensation.

§ 5 Street improvements.

- § 6 Appeal of Assessments.
- § 7 Council may abandon proceedings - limits.
- § 8 Pavements, water mains, sewers, etc.
- § 9 Discretion as to corner luts.
- § 10 Neglect to build sidewalks.
- § 11 Repairs of sidewalks.
- § 12 Sprinkling streets.
- § 13 Proceeding when award annulled.
- § 14 Proceeding when assessment annulled.
- § 15 Assessment rolls.
- § 16 Irregularities.
- § 17 Invalid assessment.
- § 18 Deficiencies.
- § 20 Improvements by Contract or City.
- § 21 Council may await collection.
- § 22 Special Assessment funds separate.
- § 23 Assessments paid to Finance Officer.
- § 24 Prior Assessments not affected.
- § 25 Assessments liens to have priority.
- § 26 Assessments for improvements.
- § 27 Permanent improvement revolving fund.
- § 28 Procedure for City's right to enter land when questioned.
- § 29 City Engineer to request descriptions.

CHAPTER 11 - MISCELLANEOUS

- § 3 Evidence.

- § 4 Compilation of Ordinances.
- § 6 Actions against City.
- § 7 Actions in the name of the City.
- § 8 Violation of Charter.
- § 11 City not liable for board.
- § 13 City property not to be converted.
- § 14 Official advertising.
- § 15 Affidavit of publication.

CHAPTER 13 - CITY PLANNING DEPARTMENT

(CEPCO)

CHAPTER 14 - BOARD OF HEALTH

- § 2 General powers granted to City Council.
- § 3 Special powers & duties of City Council.
- § 4 Orders, rules and regulations to be issued.
- § 5 Expenses for quarantine.
- § 6 Duty of police department.
- § 7 Penalties.
- § 8 Officers.

CHAPTER 15 - BOARD OF ESTIMATE AND TAXATION

- § 1 Composition (some issues).
- § 2 Budgets (some issues).
- § 4 Exceeding appropriation a misdemeanor.
- § 9 Indebtedness (some issues).
- § 11 Meetings (some Issues).
- § 12 Promissory Notes (some issues).

CHAPTER 16 - PARKS AND PARKWAYS

[Question: shouldn't all changes by ordinance be referred to park Board for action?]

CHAPTER 17 - LIBRARY BOARD

[Question: same as above.]

CHAPTER 19 - CIVIL SERVICE

- § 1 Civil Service Commissioners . . . (some issues).
- § 2 Civil Service Fund (some issues).
- § 3 Commission (some issues).
- § 7 Commission Rule Making (some issues, perhaps for the Commission).
- § 8 Commission to give notice.
- § 9 Application register.
- § 10 Mayor to be notified.
- § 11 Removal of employees.
- § 13 Examinations (some issues).
- § 14 Notice for examination.
- § 17 Finance officer - payment of salaries.
- § 18 Commission to report.
- § 19 Investigation by Commission - trial.
- § 20 False answers - cause not to be entered.
- § 21 Giving or taking money for position - misdemeanor.
- § 24 Actions of superior officers, misdemeanor.