

CHARTER

**City of
Jordan, Minnesota**

ADOPTED NOVEMBER 8, 1972

CHAPTER I
NAMES, BOUNDARIES, AND POWERS OF THE CITY OF JORDAN

SECTION 1. NAME, BOUNDARIES, AND POWERS:

All that district of country in the County of Scott now known or hereinafter described as the City of Jordan shall be a city by the name of Jordan and all the people now inhabiting and those who shall hereinafter inhabit the said district shall be a municipal corporation by the name of the "City of Jordan".

The City of Jordan by its name may sue and be sued, plead and be impleaded in any Court; make and use a seal and alter it at its pleasure; take, hold and purchase, lease and convey all such real, personal and mixed estate as the purposes of the corporation may require, or transact any business within or without the limits of said district; and shall be capable of contracting and being contracted with.

It is the intention of this Charter that every power which the people of the City of Jordan might lawfully confer upon themselves, as a municipal corporation, shall be deemed to have been so conferred by the provisions of this Section. This Charter shall be construed liberally in favor of the City, and the specific mention of particular powers in the Charter shall not be construed as limiting in any way the generality of the power herein sought to be conferred.

Section 2. BOUNDARIES

The City of Jordan shall have the same boundaries as now are or which hereinafter may be established.

Section 3. WARDS

The City of Jordan shall be comprised of two wards. All that area of Jordan lying north of Second Street (Highway 282) and running to Highway 169 then southwesterly to the City limits shall comprise Ward 2.

All that area of Jordan lying south of Second Street (Highway 282) will comprise Ward 1.

CHAPTER II
OFFICERS AND ELECTIONS

The elective officers of the City shall be a Mayor, and six (6) members of the City Council.

Section 1. ALDERMEN

The City Council shall consist of three (3) aldermen from each ward to be chosen by the qualified electors in their respective wards. Each Ward Alderman shall be a qualified voter and a resident of the Ward for at least ten (10) days prior to the election for which he shall be elected, and he shall continue to reside in such Ward during the time he continues to serve as Alderman.

Section 2. VACATION OF OFFICE OR RESIGNATION OF OFFICE.

Any officer moving from the City or the Ward for which he was elected or appointed, or any officer who shall refuse or neglect for ten (10) days after notice of his election to enter upon and discharge the duties of his office, shall be deemed to have vacated his office; and any officer elected by the people or by the City Council, having entered upon the discharge of his duties of his office, may resign the same with the consent of the City Council. Such resignation shall be tendered to the Mayor, and by him, laid before the City Council at its next session.

Any officer appointed by the Mayor may be suspended or removed by him or may resign the same with the consent of the Mayor.

Whenever any vacancy shall occur in the office of Mayor, or member of the City Council, then the City Council shall have the power and the duty to declare said office vacant by Resolution entered upon its minutes, and thereupon make an appointment to fill such vacancy which shall be made within thirty (30) days after the office becomes vacant. The new appointment will serve his appointed capacity until the next general election.

Section 3. TENURE OF OFFICE

Elections for the elective officers for the City of Jordan shall be held bi-annually in even numbered years on the first Tuesday in December following the first Monday, and shall be held by ballot, and each ballot shall contain the names of the persons voted for, with proper designation as to the office written or printed thereon, and a plurality of votes shall constitute an election.

All elections shall be conducted as provided for in the general Laws of the State of Minnesota except that the first election to be held under this Charter shall be as follows:

The first election to be held under this Charter shall be held on the first Tuesday in December (December 5, 1972) and filing for said election shall commence November 8, 1972, and terminate November 24, 1972.

Section 4. TERM OF OFFICE.

The Mayor shall hold office for four (4) years. The Councilmen shall hold office for four (4) years.

In order to stagger the terms of the Councilmen, at the first election, two (2) Councilmen from Ward One (1) and one (1) Councilman from Ward Two (2) shall be elected to a four-year term. One Councilman from Ward One (1) and two (2) Councilmen from Ward Two (2) shall be elected for a two-year term. Any election thereafter held will be for a four-year term.

Said Mayor and Councilmen being elected shall take office the first Council meeting in January in the year following the election.

Section 5. COUNCIL TO APPOINT OFFICERS.

The City Council, at its first regular meeting of January after the general election under this Charter, or as soon thereafter as possible, and bi-annually thereafter, shall appoint a Clerk, Treasurer, Attorney, Street Commissioner, Assessor, City Health Officer, and any other such officer deemed necessary by the City Council.

CHAPTER III

POWERS AND DUTIES OF OFFICERS

Section 1. MAYOR

A. The Mayor shall be the chief executive officer and head of the City Police Department. All ordinances shall, before they take effect, be presented to the Mayor for his approval and he shall sign the same.

B. The Mayor shall be a member of the City Council and as such shall function as its Chairman. The Mayor shall have a vote as a member of the City Council, however, his vote shall be cast only in the case of a tie.

C. During the absence of the Mayor from the City, or his inability for any reason to perform his duties of his office, the Mayor shall appoint one (1) member of the Council as Acting Mayor. During such absence or inability on the part of both the Mayor and his appointed Acting Mayor to act, then any Alderman whom the Council may select shall be styled and be the Acting Mayor.

Section 2. CITY CLERK

There shall be a Clerk of said City who shall keep the City Seal, all papers, books and records and keep a record of the Council proceedings and perform such other duties as the Council shall require either by Ordinance or Resolution.

Section 3. CITY ATTORNEY

There shall be an Attorney for the City who shall perform all the legal professional services incident to his office and who shall act as the legal advisor on all matters connected with the City.

Section 4. HEALTH OFFICER

There shall be a Health Officer who shall be a physician and it shall be his duty to make a general inspection of the City as to matters affecting the health of its citizens. It shall be his duty to perform all acts required of him as determined by the Laws of the State of Minnesota and/or by Ordinance.

Section 5. BOARD OF HEALTH

There shall be a Board of Health of said City whose sole function shall be the preservation of public health. Said Board shall have the power to enforce any Laws of the State of Minnesota, the Regulations of the State Board of Health, or Ordinances of said City in order to prevent the spread of contagious and infectious disease.

Section 6. STREET COMMISSIONER

There shall be a Street Commissioner who shall have supervision over work performed on any street, alley, bridge, sidewalk, and public grounds within said City as delegated by the City Council.

Section 7. TREASURER

The Treasurer shall receive all monies belonging to the City, including all taxes, license monies and fines, and he shall keep a detailed account thereof in books kept for said purpose.

He shall exhibit to the Council, whenever directed, a statement in detail of the resources and expenditures of the City.

No disbursements of the funds of the City shall be made by the Treasurer except upon orders drawn and countersigned by the City Clerk, and signed by the Mayor or Acting Mayor of the City.

Section 8. CITY COUNCIL

The City Council shall have the general power to regulate the duties of all officers of said City.

Section 9. SALARIES OF THE MAYOR AND ALDERMEN.

The Mayor and the Aldermen shall receive as compensation for their services the sum of \$15.00 per meeting attended, not to exceed a total of \$45.00 per month.

Mileage and expenses will be reimbursed when incurred on behalf of the City and when authorized by the City Council.

The compensation, as outlined in this Section, shall not become effective until after the Municipal Election following the adoption of this Charter.

CHAPTER IV

CITY COUNCIL - RULES AND PROCEDURES

Section 1. COUNCIL MEETINGS

The City Council shall meet at such times and at such place during the month as may be prescribed by Ordinance or Resolution. In no event shall there be less than one (1) Council Meeting per month.

The Mayor or any three (3) members of the City Council may call a Special Meeting.

Section 2. SECRETARY OF COUNCIL

The City Clerk shall act as Secretary of the Council. The Clerk shall keep a journal of Council proceedings and such other records as the Council may require. The Council may designate, in the absence of the Clerk, any other official or employee of the City to act as Secretary of the Council.

Section 3. RULES OF PROCEDURE AND QUORUM

The Council shall determine its own rules and order of business. A majority of all members elected shall constitute a quorum to do business.

Section 4. ORDINANCES, RESOLUTIONS AND MOTIONS

All legislation shall be by Ordinance. The "Aye" and "No" vote on Ordinances, Resolutions, and Motions shall be recorded unless the vote is unanimous. Affirmative vote of a majority of all the members of the Council shall be required for the passage of all Ordinances and Resolutions.

Section 5. PROCEDURE ON ORDINANCES

The enacting clause for all Ordinances shall be in the words, "THE CITY OF JORDAN DOES ORDAIN". Every Ordinance shall be presented in writing. No Ordinance except an emergency Ordinance shall be passed at the meeting at which it is introduced and at least three (3) days shall elapse between its introduction and final passage.

Section 6. EMERGENCY ORDINANCES

An emergency Ordinance is an ordinance necessary for the immediate preservation of the public peace, health, morals, safety, or welfare of the community. Said ordinance must be adopted by a vote of at least five (5) members of the Council. No prosecution or enforcement of said ordinance shall be valid until the passage of twenty-four (24) hours after the ordinance has been filed with the City Clerk and posted in three (3) conspicuous places, or until the ordinance has been published, unless the person charged with violation had actual notice of the passage of the ordinance prior to the act or admission.

Section 7. SIGNING AND PUBLICATION OF ORDINANCES

Every Ordinance passed by the Council shall be signed by the Mayor, or by two other members, attested by the City Clerk, and filed and preserved by the City Clerk. Every Ordinance shall be published at least once in the official newspaper. To the extent, and in the manner provided by law, an Ordinance may incorporate by reference a Statute of Minnesota, a State Administrative Rule or Regulation, a State Code, or Ordinance or part thereof without publishing the material referred to in full.

Section 8. WHEN ORDINANCES TAKE EFFECT

An Emergency Ordinance shall take effect immediately upon its passage.

Every other Ordinance shall take effect thirty (30) days after publication or at such later date as is fixed therein.

Every Ordinance adopted by the voters of the City shall take effect immediately upon its adoption.

Section 9. AMENDMENT AND REPEAL OF ORDINANCES AND RESOLUTIONS

Every Ordinance and Resolution can be amended or repealed.

Every Ordinance or Resolution repealing a prior Ordinance or Resolution shall give the number, if any, and the title and/or subject matter of the Ordinance or Resolution to be repealed.

Section 10. REVISION AND CODIFICATION OF ORDINANCES

The City may revise, re-arrange, and codify its Ordinances with such additions and/or deletions as may be deemed necessary by the Council.

Section 11. STANDING COMMITTEES

The City Council may, from time to time, create and appoint standing committees. Said committees shall be advisory in nature, unless the City Council specifically grants to the committee the power to act on behalf of the Council.

Section 12. COUNCIL TO CONTROL FINANCES

A. The council shall have full authority over the financial affairs of the City and shall provide for the collection of all revenues and other assets, the auditing and settlement of accounts, and the safe-keeping and disbursement of public monies, and in the exercise of sound discretion shall make appropriations for the payment of all liabilities and expenses.

B. The fiscal year of the City shall be the calendar year.

C. No appropriation of the funds of said city be made without the vote of the members of the council in its favor, which vote shall be taken by ayes and nays and be entered upon the record among the proceedings of the council.

Section 13. INVESTIGATION OF CITY AFFAIRS

The Council and any officer or officers formally authorized by them shall have the power to make investigations into the City's affairs, to subpoena witnesses, administer oaths, and compel the production of books and papers.

The Council shall provide for an audit of the City's accounts at least once a year. The Council may, at any time, provide for an examination or audit of the accounts of any officer or department of the City Government, and it may cause to be made any survey or research study of any subject of municipal concern.

CHAPTER V

FINANCES AND TAXATION

Section 1. SYSTEM OF TAXATION

Subject to the State Constitution, and except as forbidden by it or by State Legislation, the Council shall have full power to provide by Ordinance for a system of local taxation. In the taxation of real and personal property as such, the City shall conform as fully as possible to the general State Law as to the assessment of such property and the collection of such taxes.

Section 2. BOARD OF EQUALIZATION

The Council shall constitute a Board of Equalization to equalize assessments of property for taxation purposes according to the Law.

Section 3. ESTIMATED ANNUAL BUDGET

Under the direction of the City Council, there shall be prepared an estimated annual budget which shall be presented to the City Council no later than the first Council meeting in September. The budget shall be the principal item of business at the first meeting in September and the Council, if necessary, shall hold adjourned meetings from time-to-time until all of the estimates have been considered.

The meetings shall be so conducted as to give interested citizens reasonable opportunity to be heard.

The Annual Budget finally agreed upon shall set forth in detail the complete financial plan of the City for the ensuing fiscal year for the funds budgeted and shall be signed by the majority of the Council when adopted.

At the beginning of the fiscal year, the sums fixed in the budget resolution shall be and become appropriated for the several purposes named in the budget resolution and no other.

Section 4. ALTERATION IN THE BUDGET

After the budget resolution has been adopted, the Council shall have no power to increase the amounts fixed in the budget resolution by the insertion of new items or otherwise, beyond the estimated revenues, unless the actual receipts exceed the estimates and then not beyond the actual receipts. The Council may, at any time, by Resolution approved by the majority of its members, reduce the sums appropriated for any purpose by the budget resolution, or by a vote of five (5) members authorize the transfer of sums from any other budgeted balance in the budget resolution to other purposes.

Section 5. FUNDS TO BE KEPT.

There shall be maintained in the City treasury the funds provided for in the following sub-divisions:

A. General revenue fund for the payment of such expenses of the City as the Council may deem proper. Into this fund shall be paid all money not provided herein nor by Statute to be paid into any other fund.

B. Fire Department Fund in which shall be placed all taxes and revenues received for the maintenance of the Fire Department and for furnishing the City with fire protection.

C. Water and Sewer Fund in which shall be placed all taxes and revenues received for the maintenance of the water and sewer department.

D. Permanent Improvement Fund in which shall be placed all taxes and revenues raised which shall be used to finance local improvements.

E. In addition to the foregoing funds, there may be maintained in the City treasury, whenever the Council deems it advisable, the following funds:

(1) a sinking fund in which shall be placed all taxes and revenues received for that purpose.

(2) a bond fund into which shall be paid all taxes and revenues received on all Bonds issued by the City.

(3) Such other funds as may be required by Statute or Ordinance.

Section 6. TAXES TO BE LEVIED BY RESOLUTION

The Council shall annually adopt a Resolution levying whatever taxes it considers necessary within statutory limits for the ensuing year for each fund. The tax levy resolution shall be certified to the County Auditor in accordance with Law not later than October 10th.

Section 7. CITY INDEBTEDNESS

Except as provided to pay current expenses as outlined in the preceding Sections, the City may not issue and sell obligations for any municipal purpose without the approval of the majority of the electors of the City voting on the question at a general or special election.

CHAPTER VI

STREETS, SIDEWALKS, BRIDGES AND PUBLIC GROUNDS

Section 1. CARE AND CONTROL

The City Council shall have the care, supervision and control of all public highways, bridges, streets, alleys, public squares and grounds within the limits of said City.

Section 2. RAILROAD COMPANY

No railroad company, shall have any right in clearing their tracks thru any part of said City, or otherwise to pile up snow or other material and leave the same piled up on any travel portion of any street of said City.

Section 3. VACATING STREETS

The City Council of said City shall have the power to vacate and discontinue public grounds, streets, alleys, and highways within said City in accordance with State Law.

CHAPTER VII

LOCAL IMPROVEMENTS AND SPECIAL ASSESSMENTS

Section 1. POWER TO MAKE IMPROVEMENTS AND MAKE ASSESSMENTS

The City shall have the power to make any and every type of public improvement not forbidden by the Laws of the State and to levy special assessments for all or any part of the cost of such improvements as are of a local character pursuant to the Laws of the State of Minnesota.

Section 2. PROCEDURES FOR MAKING IMPROVEMENTS AND LEVYING ASSESSMENTS.

All procedures for construction or improvements to be paid for by special assessment against benefited property may be instituted by either one of two methods;

A. The procedure as authorized by the State of Minnesota.

B. The procedure as established by the Council by Ordinance.

CHAPTER VIII

FIRE DEPARTMENT

The City Council, for the purposes of guarding against the calamities of fire, shall have the power to create and regulate a City Fire Department and to prescribe the areas afforded fire protection.

The individual members of the Fire Department may elect their own officers and establish their own procedures. However, said acts are subject to approval by the City Council.

CHAPTER IX
MISCELLANEOUS PROVISIONS

Section 1. RESCINDING OF VOTES OF COUNCIL

No vote of the City Council shall be re-considered or rescinded at a subsequent meeting unless at such subsequent meeting there be present as large a number of alderman as were present when the vote was taken.

Section 2. SETTLING CLAIMS

No claim or judgment recovered in favor of the City shall be discharged except by an order of at least two-thirds (2/3) of the Aldermen of said City.

Section 3. PUBLICATION

The City Council may, from time-to-time, provide for the publication of the Charter and Ordinances of the City, and such Resolutions and other matters as may be designated.

Section 4. CLAIMS AND DEMANDS

All claims and demands against the City for services or materials provided shall be itemized and duly verified by the claimant or some person having personal knowledge thereof, before the same shall be allowed by the City Council.

Section 5. PUBLIC RECORDS

All records, files and papers of the City shall be deemed to be public records and at all reasonable times shall be open to the examination and inspection of all persons, and shall be Prima Facie evidence in all Courts of the facts stated therein.

Section 6. OFFICIAL PAPER

The City Council at its first regular meeting in the month of January in each year, may designate one newspaper printed in said City in which shall be published all Ordinances, Notices, Proceedings and matters required by this act or by any Law of this State, or which may be required by any Ordinance or Resolution of the City Council to be published in a public newspaper.

Section 7. REPEAL OF 1891 CHARTER

The City Charter of Jordan enacted in 1891 is hereby in all things repealed. But, such repeal shall not in any manner affect, injure or invalidate any bond, contract, suit, prosecution, claims or demands lawfully issued, Ordinance or Resolution entered into prior to the adoption of this Charter.

Section 8. EFFECTIVE DATE OF CHARTER

This Charter shall take effect and be in force the day following the adoption of the Charter, November 8, 1972.