St. Louis Park
MINNESOTA

Experience LIFE in the Park

Home Rule Charter

Revised August 25, 2021

PART I

HOME RULE CHARTER*

***Editor's note--**Printed herein is the Home Rule Charter of the City of St. Louis Park, as adopted by the city council on December 7, 1954, and effective on January 7, 1955, as revised. A complete list of amendments is located in Appendix B. Amendments to the Home Rule Charter, as revised, are indicated by parenthetical history notes following amended provisions. The absence of a history note indicates that the provision remains unchanged from the original Charter. Obvious misspellings have been corrected without notation. For stylistic purposes, a uniform system of headings, number style, catch lines and citations to state statutes has been used. Additions made for clarity are indicated by brackets.

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CHAPTER 1. NAME, BOUNDARIES, POWERS AND CONSTRUCTION

Section 1.00. Preamble.

Human freedom and human rights are indivisible and the recognition of equality of all people is indispensable in the administration of a just government. Written documents which govern our nation and state clearly proclaim the rights and responsibilities of the people in making these freedoms possible. It is proper that cities do also, for human rights denied to one are denied to all. We, the people of St. Louis Park, therefore do hereby declare that equality of rights under the law shall not be abridged or denied by the City of St. Louis Park on the basis of race, color, creed, religion, national origin, gender, marital status, familial status, sexual orientation, age or status with regard to public assistance or disability. The following Charter is a declaration of the policy of the City of St. Louis Park, Minnesota.

Section 1.01. Name and boundaries.

Upon the taking effect of this Charter, the Village of St. Louis Park in the County of Hennepin and State of Minnesota shall become a city under the name of the City of St. Louis Park, and shall continue to be a municipal corporation with boundaries the same as they now are established or as they may hereafter be established.

Section 1.02. Powers of the city.

The City of St. Louis Park:

shall have perpetual existence;

may sue and be sued;

may use and alter its seal at pleasure;

may enter into binding contracts;

may take by purchase, condemnation, gift, devise or otherwise and hold lease, sell and convey all such real and personal property as its purposes may require, or the transaction of its business may render convenient, within or without the limits of the City;

may acquire, construct, own, lease and operate public utilities and render public service of every kind;

may grant franchises or licenses for the services which shall be rendered by any owner or operator of a franchise or license;

may assess, levy and collect taxes for general or special purposes on all subjects or objects which the City may lawfully tax;

may borrow money on the faith and credit of the City and issue bonds or certificates of indebtedness. The indebtedness may be secured by granting a security interest in public utilities or other property owned by the City or any income generated therefrom;

may appropriate the money of the City for lawful purposes;

may provide for, construct, regulate and maintain public works and local improvements;

may levy and collect assessments against real property within the City for local improvements and services;

may license and regulate persons, corporations and associations engaged in any occupation, trade or business;

may define, prohibit, abate and suppress all things detrimental to the health, morals, comfort, safety, convenience and welfare of the inhabitants of the City and all nuisances and causes thereof,

may regulate the construction, height and materials used in all buildings and the maintenance and occupancy thereof,

may regulate and control the use of the streets and other public places; may make and enforce local police, sanitary and other regulations;

may pass ordinances for maintaining and promoting the peace, good government and welfare of the City and for the performance of all the functions thereof;

shall have all the powers possessed by municipal corporations at common law;

shall have, retain and may exercise all powers, functions, rights and privileges heretofore possessed by the Village of St. Louis Park;

may exercise such powers beyond its corporate limits as may be necessary for the effective exercise of any powers granted herein as authorized by law;

and in addition thereto, the City of St. Louis Park shall have and exercise all powers, functions, rights and privileges exercised by, or which are incidental to, or inherent in, municipal corporations and are not denied to it by the constitution or general laws of the State of Minnesota.

The enumeration of powers herein shall not be construed to limit or restrict the powers granted in general terms. No specific power granted in this Charter shall be construed to limit or restrict the powers granted in this section. In addition to the powers herein and hereafter granted, the City of St. Louis Park shall have power to deal with all matters of municipal concern and have complete self-government in harmony with and subject to the constitution and laws of the State of Minnesota.

Section 1.03. City to succeed to rights and obligations of former municipality.

The City of St. Louis Park shall remain vested with and continue to have, hold and enjoy all property, property rights, rights of action and rights of every kind, privileges and immunities belonging to or pertaining to the Village of St. Louis Park and shall be subject to all liabilities which exist against said City on the effective date of this Charter.

Section 1.04. Application of general laws.

All general laws and statutes of the state applicable to all cities operating under home rule charters, are applicable to cities of the same class as the City of St. Louis Park and shall be construed as supplementary to the provisions of this Charter. The City shall have all powers and authority granted by the laws of the state to municipalities to acquire property or exercise authority or powers beyond its corporate limits. All powers conferred by this section shall be exercised in conformance with this Charter and such authority and power shall not authorize the City to incur any bonded debt in any other manner than authorized by this Charter.

Section 1.05. Charter a public act.

This charter shall be a public act and need not be pleaded or provided in any case. It shall take effect thirty (30) days from and after its adoption by the voters (January 7, 1955).

CHAPTER 2. GOVERNMENT AND OFFICERS

Section 2.01. Council-manager plan.

The form of government established by this charter shall be known as the "council-manager plan." All discretionary powers of the city, both legislative and executive, shall vest in and be exercised by the city council. It shall have complete control over the city administration but shall exercise this control exclusively through the city manager and shall not itself attempt to perform any administrative work.

Section 2.02. Boards.

The council shall itself be and shall perform the duties and exercise the powers of all local boards and commissions, except as herein otherwise provided. It may, however, by ordinance create commissions with advisory powers to investigate any subject of interest to the municipality.

The council shall encourage members of its diverse citizenry to become members of all commissions and boards. The city shall establish standard procedures to facilitate these efforts.

Section 2.03. Elected officers.

The council shall be composed of a mayor and six (6) councilmembers who shall be qualified voters. The mayor shall be elected at-large for a four-year term. Two (2) councilmembers shall be elected at-large for terms of four (4) years each. The at-large seats shall be separate elective offices designated as at-large A and at-large B.

A councilmember shall be elected for a four-year term from each of the city's four (4) separate wards. The councilmember elected from a ward must be a resident of such ward. Should that member cease to be a resident of such ward, that member is disqualified from further service, and there then exists a vacancy in the office of councilmember from said ward; except that a change in ward boundaries during the term of office shall not disqualify the member from serving out the term.

The term of mayor and of each councilmember shall begin on the first (1st) regularly scheduled meeting of the new year following a regularly scheduled municipal election, as specified in Section 4.02 of this charter, and shall end when a successor has been duly elected and has qualified but not before the last day of the calendar year in which a municipal election has been held. The council shall be the judge of the election of its members.

The city shall be divided into four (4) separate wards, the boundaries of which shall be established from time to time by ordinance adopted by the council based on findings of the council that the wards so established are of as near equal size in both population and area as practicable. After each decennial census of the United States, the council shall re-determine ward boundaries. If the council shall fail to do so within two (2) years after the official certification of the decennial census, no further remuneration shall be paid to the mayor or councilmembers until the wards of the city are re-determined as required by this charter.

Oath of office. Every officer of the city shall, before entering upon the duties of this office, take and subscribe to an oath of office in substantially the following form: " I do solemnly swear (or affirm) to support the Constitution of the United States and of the State of Minnesota and to discharge faithfully the duties devolving upon me as (mayor or councilmember) of this city to the best of my judgment and ability."

Section 2.04. Disqualification for appointive office.

No member of the council shall be appointed city manager or acting city manager, nor shall any member hold any other paid municipal office or be employed by the city during the term as a member of the council. No former councilmember shall be employed by the city, appointed to any paid position of the city, or establish any independent contractual arrangement with the city other than mayor or councilmember for a period of one (1) year after leaving office.

Section 2.05. Vacancies in the council.

A vacancy in the council shall be deemed to exist if any person elected thereto fails to qualify on or before the date of the second (2nd) regular meeting of the new council. A vacancy shall also be deemed to exist due to the death, resignation, removal from office, removal from the city, removal of a ward councilmember from their ward, continuous absence from the city for more than three (3) months, or conviction of a felony of any such person whether before or after their qualification, or the failure of any councilmember without good cause to attend any council meeting for a period of three (3) consecutive months. In each such case the council shall, promptly by resolution, declare a vacancy of the remainder of the term and appoint an eligible person to fill the vacancy unless the vacancy occurs within ninety (90) days of the next regularly scheduled city or state election. In the latter case, the council shall appoint an eligible person who shall serve until the following year's regularly scheduled election. The term of the appointed person shall extend to the first (1st) regularly scheduled council meeting of a new year following a regularly scheduled city or state election. The council shall call a special election concurrently with the next regularly scheduled city or state election for the purpose of electing an eligible person to fill the remainder, if any, of the unexpired term created by a vacancy.

Section 2.06. The mayor.

The mayor shall be the presiding officer of the council, except that the mayor pro tem shall be mayor in case of the mayor's disability, absence from the city, or in the case of vacancy in the office of mayor until a successor is appointed and qualified. The mayor shall vote as a member of the council. The mayor shall exercise all powers and perform all duties conferred or imposed upon the mayor by this charter, the ordinances of the city and laws of the state. The mayor shall be recognized as the official head of the city for all ceremonial purposes, by the courts for the purpose of serving civil process, and by the governor for the purposes of martial law.

Section 2.07. Compensation.

(a) The council shall set and may increase or decrease the salaries of the mayor and councilmembers in a reasonable manner by ordinance; provided, however, that no such ordinance shall be adopted increasing or decreasing any such salary until a public hearing has been held thereon after publication of a notice setting forth a summary of the proposed ordinance and the time and place of the hearing in the official newspaper at least one (1) week in advance of such hearing. No such ordinance increasing or decreasing any such salary shall become effective before the first (1st) day in December following the next municipal election or such later date as is fixed in the ordinance. If within thirty (30) days after approval of such ordinance increasing or decreasing any such salary, a petition asking for a referendum on such ordinance is signed by registered voters equal in number to fifteen percent (15%) of those who voted at the last regular municipal election is filed with the city clerk, such ordinance shall not go into effect until it is first approved by a majority of those voting thereon at a regular or special city election.

(b) When authorized by the council, its members shall be reimbursed for their reasonable expenses incurred in connection with the city's business.

(c) The city manager and all subordinate officers and employees of the city shall receive such reasonable compensation as may be fixed by the council.

Section 2.08. Investigation of city affairs.

The council shall have power to make investigations into the city's affairs including, but not limited to, neglect, dereliction of duty or waste on the part of any officer or department of the city, to subpoena witnesses, administer oaths and compel the production of books, papers, and other documentary evidence. The council may provide for an examination or audit of the accounts of any officer or department of the city government, or it may direct a survey or research study of any problem affecting the city or its inhabitants at any time. Each such investigation shall be authorized by resolution of the council.

Section 2.09. Interference with administration.

Except for the purpose of inquiry, the council and its members shall deal with and control the administrative services solely through the city manager, and neither the council nor any member thereof shall give orders to any of the administrative personnel of the city, other than the city manager, either publicly or privately. If this section is violated by any member of the city council, such violation shall result in the public censure by the council of the offending party, and may, in addition, result in the imposition of a civil penalty to be paid to the city in an amount equal to one (1) month's compensation payable by the city to such member. The determination whether any violation of the provisions of this section has occurred shall be made by the council upon its own inquiry and by a two-thirds (2/3) majority of all of the councilmembers except the councilmember or members being charged with the violation.

CHAPTER 3. PROCEDURE OF COUNCIL

Section 3.01. Council meetings.

On the first (1st) regularly scheduled meeting of a new year following a municipal election as specified in Sections 4.02 and 4.03 of this charter, the council shall meet at city hall at the usual time for the holding of council meetings. At this time, the newly elected members of the council shall assume their duties. Thereafter, the council shall meet at such times as may be prescribed by resolution, except that it shall meet at a fixed time not less than once a month. The mayor or any three (3) members of the council may call special meetings of the council upon at least twelve (12) hours' notice to each member of the council. Such notice shall be delivered personally to each member or be left in a conspicuous place at the residence if no such person be found there. The presence of any member of the council at a special meeting shall constitute a waiver of any formal notice unless the councilmember appears for the special purpose of objecting to the holding of such meeting. The council may provide by ordinance a means by which a minority of the councilmembers may compel the attendance of absent members. Except as otherwise provided by law, all meetings of the council shall be public and any person shall have access to the minutes and records thereof at all reasonable times. The mayor and councilmembers shall each have one vote.

Section 3.02. Secretary of the council.

The council shall choose a secretary and such other officers and employees as may be necessary to serve at its meetings. The secretary shall keep minutes of proceedings and such other records and perform such other duties as may be required by this charter or the council. The council may designate any official or employee of the city, except the city manager or a member of the council, to act as secretary of the council.

Section 3.03. Rules of procedure and quorum.

The council shall determine its own rules and order of business, and shall keep a record of its proceedings. A majority of the council shall constitute a quorum.

Section 3.04. Ordinance, resolutions, and motions.

Except as otherwise provided in this charter, all legislation shall be by ordinance. Every ordinance and resolution shall be presented in writing and read in full at a council meeting; provided, however, that the reading of a resolution or an ordinance may be dispensed with by unanimous consent of all councilmembers present. All administrative business may be transacted by ordinary motion. Upon the vote on ordinances, motions, and resolutions the ayes and noes shall be recorded unless the vote is declared unanimous. A majority vote (four) of all of the members of the council shall be required for the passage of all ordinances, motions and resolutions except as otherwise provided in this charter, the ordinances of the city or the laws of the State of Minnesota.

Section 3.05. Procedure on ordinances.

The enacting clause of all ordinances passed by the council shall be in the words, "The City of St. Louis Park does ordain." Every ordinance other than emergency ordinances shall have two (2) public readings in full, except as provided in Section 3.04. At least seven (7) days shall elapse between the first (1st) reading or waiver thereof and second (2nd) reading or waiver thereof. All legislation prescribing a penalty for violation thereof shall be enacted in the form of ordinances.

Section 3.06. Emergency ordinances.

An emergency ordinance is an ordinance necessary for the immediate preservation of the public peace, health, morals, safety, or welfare in which the emergency is defined and declared, and the ordinance is passed by a vote of at least five (5) members of the council. No prosecution shall be based upon the provisions of any emergency ordinance until twenty-four (24) hours after a copy of the approved emergency ordinance has been filed with the city clerk and posted in three (3) conspicuous places in the city or until twenty-four (24) hours after the ordinance has been published unless the person or entity charged with violation thereof had actual notice of the passage thereof prior to the act or omission charged. Every emergency ordinance shall automatically stand repealed on the sixty-first (61st) day following the date on which it was adopted, but this shall not prevent reenactment of the ordinance in the manner specified in this section if the emergency still exists. No grant of any franchise shall ever be made by an emergency ordinance.

Section 3.07. Signing and publication of ordinances and publication of minutes, resolutions, and administrative rules and regulations.

(a) *Official publications.* The council shall regulate by ordinance, subject to the requirements of this charter, the manner in which official publicity shall be given to the holding of elections, ordinances, resolutions, requests for bids upon contemplated purchases and contracts, and all other matters whatsoever which require publication either by the provisions of this charter or by the laws of Minnesota. It shall annually designate a legal newspaper of general distribution in the city as the official newspaper of the city. Such measures and matters required to be published by the laws of this state and this charter and such other matters as the council may deem advisable and in the public interest shall be published in the official newspaper. Additionally, the council may, in its discretion, mail copies of the annual budget, ordinances, resolutions, election notices and such other measures and matters as it may deem appropriate or post copies upon bulletin boards located in public places in the city in such number and for such period of time as the council may direct in each case. Nothing herein contained shall be construed as authorizing or attempting to authorize any violation of the constitution or the statutes of the state in any matter which is of state concern or which is exclusively under state control.

(b) *Publication regulations.* Every ordinance passed by the council shall be signed by the mayor, or by any other member of the council, the city manager, city attorney and attested to by the city clerk, and filed and recorded by the city clerk in a book kept for that purpose. The ordinance book shall be preserved as a permanent record of the city. If the council determines that publication of the title and a summary of an ordinance would clearly inform the public of the intent and effect of the ordinance, the council may direct that only the title of the ordinance and a summary be published. Such a summary shall contain a notice that a full printed copy of the ordinance is available for inspection at the office of the city clerk. Prior to publication, the council shall approve the text of the summary and determine that it clearly informs the public of the intent and effect of the ordinance. Publication of the title and summary shall be deemed to fulfill all legal publication requirements as completely as if the entire ordinance had been published.

(c) *Publication of resolutions and motions.* All resolutions and motions adopted at each meeting of the council may, at the discretion of the council, be published in full or in part in the official newspaper of the city.

(d) *Reference method.* Any administrative rule or regulation of any department of the State of Minnesota affecting the city, any statute of the State of Minnesota, any published code, specification, or regulation prepared by an official or unofficial organization for general circulation and use may be adopted and incorporated in an ordinance by reference thereto by marking a copy "official copy" and filing it for reference and inspection in the city offices. The publication requirements of this charter shall be deemed to be fully satisfied in such cases by use of this reference method.

Section 3.08. When ordinances and resolutions take effect.

Emergency ordinances adopted as provided in Section 3.06 of this charter, and ordinances making the annual tax levy, disbursing money, determining the annual budget, and providing for local improvements and assessments, shall take effect immediately upon their passage. All other ordinances enacted by the council shall take effect fifteen (15) days after the date of their publication, unless a later effective date is fixed therein. All resolutions shall take effect upon their passage.

Section 3.09. Amendment and repeal of ordinances.

No ordinance or subsection shall be amended or repealed except by ordinance. Every ordinance repealing all or part of an ordinance shall refer to the ordinance repealed by ordinance number, title and date of passage. It shall specify the section or subsection number or numbers affected. No ordinance or section thereof shall be amended by reference to its title alone. Each amending ordinance shall set forth in full each section or subsection as amended; provided, however, that this requirement shall not apply to amendments to zoning ordinances.

(Ord. No. 2365-08, 3-25-09)

CHAPTER 4. NOMINATIONS AND ELECTIONS

Section 4.01. General election laws to apply.

Except as hereinafter provided, the general laws of the State of Minnesota pertaining to registration of voters and the conduct of general elections shall apply for all municipal elections of such officers as are specified in this charter. The council shall, through ordinances adopted in compliance with such state laws and this charter, adopt suitable and necessary regulations for the conduct of such elections. (Ord. No. 2519-17, 5-15-17)

Section 4.02. Regular municipal election.

A regular municipal election shall be held on the first Tuesday after the first Monday in November, 1967, and on the same day every two years thereafter, at such place or places as the city council may designate by resolution. The council may divide the city into as many voting precincts as it may from time to time deem necessary. Each ward shall constitute at least one (1) voting precinct and no precinct shall be in more than one ward. At least two (2) weeks' notice shall be given by the city clerk of the time and places of holding such election, and of the officers to be elected by posting a notice thereof in at least one (1) public place in each voting precinct and by publishing a notice thereof at least once in the official newspaper of the city. Failure to give such notices shall not invalidate such election.
(Ord. No. 2291-05, 6-7-05)

Section 4.03. Special elections.

The council may by resolution order a special election, fix the time, and provide the means for holding such special election. Three (3) weeks' published notice shall be given of any special election. The procedure at such elections shall conform as nearly as possible to that herein provided for other municipal elections. (Ord. No. 2519-17, 5-15-17)

Section 4.04. Judges of election.

The council shall at least twenty-five (25) days before each municipal election appoint at least three (3) qualified voters to be judges of election for each precinct. (Ord. No. 2519-17, 5-15-17)

Section 4.05. Nomination by petition.

The nomination of elective officers provided for by this charter shall be by petition. The name of any nominee shall be printed upon the ballot whenever a petition meeting the requirements specified in this charter has been filed on the nominee's behalf with the city clerk. Such petition shall be signed by at least fifty (50) currently registered electors qualified to vote for the office specified in the petition. No elector shall sign petitions for more candidates than the number of places to be filled at the election, and should the elector do so that signature shall be void as to the petition or petitions last filed. All nomination petitions shall be filed with the city clerk no more than ninety eight (98) days nor less than eighty four (84) days before the municipal general election held in November of any year. The clerk shall prepare the ballots with names of the candidates for an office in a manner provided by ordinance. Each petition, when presented, must be accompanied by a twenty dollar ($20.00) filing fee.
(Ord. No. 2291-05, 6-7-05; Ord. No. 2386-10, 10-6-10; Ord. No. 2519-17, 5-15-17)

Section 4.06. Nomination Petitions.

The signatures to the nomination petition need not be contained on one (1) paper. Each paper shall include an affidavit of its circulator stating the number of signators and affirming that each signature was written in the circulator's presence and is the signature of the person who signed it. The residence address of each signer shall be affixed to the petition. The nominee shall indicate acceptance of the office, if elected, by an endorsement on the petition. The form of the nomination petition shall be substantially as follows:

NOMINATION PETITION

We, the undersigned, electors of the City of St. Louis Park, nominate _____, whose residence is _____, for the office of _____ to be voted for at the election to be held on the _____ day of _____; and we individually certify that we are qualified electors and that we have not signed more nomination petitions of candidates for this office than there are persons to be elected.

Name		Street and Number
____		____
____		____

_____ being duly sworn, deposes and says that the undersigned circulated the foregoing petition and that the signatures were made in the circulator's presence and are the signatures of the persons who signed them.

	Signed____

Subscribed and sworn to before me this _____ day of _____, _____

	____ Notary Public for Hennepin County, Minnesota

This petition, if found insufficient by the city clerk, shall be returned to _____ at _____.

I hereby indicate my willingness to accept the office of _____ if duly elected.

	Nominee

(Ord. No. 2519-17, 5-15-17)

Section 4.07. Canvass of elections and taking of office.

The council shall meet and canvass the election returns within ten (10) days after any regular or special elections, declare the results as soon as possible, and file a statement thereof with the city clerk. Said statement shall be made part of the minutes and shall include:

(a) the total number of good ballots cast;

(b) the total number of spoiled or defective ballots;

(c) the vote for each candidate with a declaration of those who were elected;

(d) a true copy of the ballots used;

(e) the names of the judges and clerks of election; [and]

(f) such other information as may seem pertinent.

The city clerk shall notify all persons elected of the fact of their election, and the persons elected shall qualify to take office at the time provided for by Section 3.01, by taking, subscribing, and filing the required oath of office with the city clerk.
(Ord. No. 2519-17, 5-15-17)

Section 4.08. Voting method.

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.
(Ord. No. 2535-18, 5-7-18)

CHAPTER 5. ADMINISTRATION OF CITY AFFAIRS

Section 5.01. The city manager.

The city manager is the chief administrative officer of the city. The manager shall be chosen by the council solely on the basis of training, experience and administrative qualifications. The choice shall not be limited to inhabitants of the city or state. The city manager shall be appointed for an indefinite period and may be discharged by the council at will. A city manager who has been discharged after one (1) year of service shall have the right to appear at a regular council meeting to discuss the discharge by filing a request with the city clerk within thirty (30) days after the discharge and that the discharge be placed on a council agenda. Such appearance shall take place within thirty (30) days after the request is filed. The council may suspend the city manager from office, with or without pay. During the suspension, absence or disability of the city manager, the duties of this office shall be performed by some properly qualified person designated by the council as acting city manager.

Section 5.02. Powers and duties of the city manager.

Subject to the provisions of this charter and any regulations which may be adopted by the council, the city manager shall control and direct the administration of the city's affairs. The powers and duties of the city manager shall be:

(a) To enforce this charter and the laws, ordinances and resolutions of the city;

(b) To appoint with the consent of the council all department heads and other officers of the city listed in Section 5.04(a) of the city charter, and to appoint and remove for cause all permanent employees;

(c) To remove for cause, with the consent and approval of the council, all department heads and other officers specified in Section 5.04(a);

(d) To exercise control over all departments and divisions of the city administration created by this charter or which may be hereafter created by the council;

(e) To attend meetings of the council, with the right to take part in the discussions but having no vote. The council may, however, at its discretion, exclude the city manager from meetings at which removal of the city manager is considered;

(f) To recommend such measures to the council for adoption as may be deemed necessary for the welfare of the people and the efficient administration of the city's affairs;

(g) To keep the council fully advised of the financial condition and the needs of the city, and to prepare and to submit the annual budget to the council; and

(h) To perform such other duties prescribed by state law and this charter or required of the city manager by ordinances or resolutions adopted by the council.

Section 5.03. Departments of administration.

The council may create such offices, departments, divisions and bureaus for the administration of the city's affairs as may seem necessary, and alter the powers and organization of the same from time to time. It may enact an administrative code for the city by ordinance and may amend that code from time to time.

Section 5.04. Other officers.

(a) *Regulations.* There shall be a city clerk, city treasurer and such other officers accountable to the city manager as the council may designate by ordinance. The city clerk may be designated to act as secretary to the council. The city attorney shall be appointed by the council. The council may by ordinance abolish offices which have been created by ordinance and it may combine the duties of various offices as it may see fit.

(b) *Oath of office.* Officers of the city shall, before entering upon the duties of their offices, take and sign a written oath of office in substantially the following form: "I do solemnly swear (or affirm) to support the Constitution of the United States and of the State of Minnesota, and to discharge faithfully the duties devolving upon me as (city manager, etc.) of this city to the best of my judgment and ability."

Section 5.05. Purchases and contracts.

The city manager is the chief purchasing agent of the city. All purchases on behalf of the city shall be made, and all purchases and contracts shall be let, by the city manager, or city manager's designee, provided that the approval of the council must be given whenever the amount of such purchase or contract exceeds the amount at which competitive bids are required by law. Except for purchases and contracts made by the city manager, or city manager's designee, as set forth herein, contracts, bonds, and instruments to which the city is a party must be signed by the mayor and city manager on behalf of the city.
(Ord. No. 2291-05, 6-7-05)

Section 5.06. Contracts--how let.

City contracts must be made in compliance with state law. The city council may reject any and all bids.
(Ord. No. 2365-08, 3-25-09)

CHAPTER 6. TAXATION AND FINANCE

Section 6.01. Council to control finances.

The council shall have authority over the financial affairs of the city and shall provide for the collection of all revenue and other assets, the auditing and settlement of accounts, and the safekeeping and disbursement of public funds. In the exercise of sound discretion, it shall make provision for the payment of all liabilities and expenses. The council shall establish the fiscal year for the city.

Section 6.02. Power of taxation.

The city shall have, in addition to the powers expressly granted or implied by this charter, all the powers to raise money by taxation granted by the applicable laws of the State.

Section 6.03. Board of equalization.

The council shall constitute and meet as a Board of Equalization on the third (3rd) Monday in April of each year to equalize the assessed valuations according to law. A majority of the members may act at such meeting and recess from day to day until they complete their statutory duties. The annual session of the Board of Equalization shall not exceed twenty (20) consecutive calendar days. A published notice of such meeting shall be given in the official newspaper of the city at least ten (10) days prior to the day of said meeting. That notice shall specify the time and place of the meeting.

Section 6.04. Preparation of annual budget.

The city manager shall prepare an annual budget which shall include any estimated deficit for the current year. Estimates of expenditures shall be submitted by each department to the city manager. Each estimate shall be divided into categories as required by the council and the city manager.

The budget submitted by the city manager shall include revenues and expenses for the preceding two (2) years, the current year, and the budget year with appropriate explanations and shall be submitted to the council no later than the first (1st) regular monthly meeting in September.
(Ord. No. 2291-05, 6-7-05)

Section 6.05. Passage of the budget.

The budget shall be considered at regular monthly meetings of the city council until all of the material presented in the budget has been considered. The meetings shall be conducted upon such matters, at such time and places, as shall be necessary to give interested citizens a reasonable opportunity to ask questions and to be heard. The budget shall be available for public inspection at reasonable times prior to its adoption at such place or places the city manager shall designate. The city manager shall explain the various items therein as fully as may be deemed necessary by the council. The annual budget finally agreed upon shall set forth in such detail as may be determined by the city council the complete financial plan of the city for the ensuing fiscal year. It shall indicate the sums to be raised, the sources of revenue, the sums to be spent, and the purpose of each expenditure. The total sum appropriated shall not exceed the total estimated revenue. The council shall adopt the budget by resolution.

Section 6.06. Enforcement of the budget.

It shall be the duty of the city manager to enforce the provisions of the budget. Any obligation incurred by any city employee for any purpose not authorized in the budget or for any amount in excess of the amount therein authorized shall be the personal obligation of that employee.

Section 6.07. Alterations in the budget.

After the budget has been adopted, the council shall not have the power to increase the amounts therein fixed whether by the insertion of new items or otherwise in any amount in excess of the estimated revenues, unless the actual receipts exceed such estimates and, in that event, not in any amount in excess of such actual receipts. The council may at any time, by resolution passed by a vote of at least five (5) members of the council, reduce salaries or reduce the sums appropriated for any purpose by the budget, or may be a vote of at least five (5) members of the council authorize the transfer of funds from unexpended accounts of the budget for other purposes.

Section 6.08. Emergency appropriation in budget.

The council shall have power to establish an emergency appropriation as a part of the budget, which shall not exceed ten (10) percent of the total budget. Transfers from the emergency appropriation to any other appropriation shall be made only by a vote of at least five (5) members of the council. The funds transferred to any department or division of the city shall be used only for the purposes designated by the council.

Section 6.09. Levy and collection of taxes.

Each year the council shall levy the taxes necessary to meet the requirements of the budget for the ensuing fiscal year in the manner prescribed by state law. The city treasurer shall transmit a statement of the taxes levied to the county auditor annually. Such taxes shall be collected, and their payment shall be enforced at the time and in the same manner as state and county taxes. No tax shall be invalid because of any informality in the manner of levying the same, nor because the amount levied exceeds the amount required to be raised for the purpose for which it was levied. Any surplus shall go into a suspense fund and shall be used to reduce the levy for the ensuing year. (Ord. No. 2386-10, 10-6-10)

Section 6.10. Tax settlement with county.

The city treasurer shall ensure that all monies in the county treasury belonging to the city are promptly turned over to the city according to law. (Ord. No. 2386-10, 10-6-10)

Section 6.11. Disbursements--how made.

Disbursements shall be made only upon the order of the city manager after city council approval, except under such conditions as the council may deem necessary and appropriate from time to time by adoption of an ordinance. Every such order shall specify the purpose for which the disbursement is made, and the fund from which it is to be paid. No claim against the city shall be allowed unless accompanied by an itemized bill, a payroll or a time sheet, each of which shall be approved and signed by the responsible city officer who vouches for its correctness and reasonableness. All disbursements authorized by ordinance to be made without city council approval shall be reviewed by the council. The council may, by ordinance, make additional regulations for the safekeeping and disbursement of the city's funds. The council may, by resolution or motion, waive the council's approval of salaries and wages of regular employees, and fixed charges which have been previously authorized.

Section 6.12. Funds.

There must be maintained in the city a general fund and the funds required by law, ordinance, the budget resolution, or other resolution. The council may make inter-fund loans and transfers except from trust or agency funds or where prohibited by this charter or law.

Section 6.13. Receipts to go to city treasurer.

All money belonging to the city or any agency thereof shall be paid to the city treasurer by the person authorized to receive it. All money received by the city treasurer shall be deposited as soon as possible in a bank or banks or other depositories designated by the city council.

Section 6.14. Accounts and reports.

The city manager shall be the chief accounting officer of the city and of every agency thereof, and the council may prescribe and enforce proper accounting methods, forms, blanks and other devices consistent with law, this charter and the city ordinances. The city manager shall submit a statement to the council each month showing the amount of money in the custody of the city treasurer, the status of all funds, the amount spent or chargeable against each of the annual budget allowances and the balances left in each, and such other information relative to the finances of the city as the council may require. The council may at any time and shall annually provide for an audit of the city finances by a certified public accountant or by the Department of the State authorized to make examinations of the affairs of municipalities. On or before the last day of June, in each year, the city manager shall prepare a complete financial report in a form approved by the council of the city's financial operations for the preceding calendar year. That report may be published in such manner as the council may direct and a summary thereof shall be published in the official newspaper on or before July 31 of each year.

Section 6.15. Bonds and debt limit.

(a) In addition to the power to borrow and issue bonds and other obligations for the payment of money specifically or impliedly granted by this charter, the city shall have the powers regarding issuance of obligations granted to cities of its same class and to statutory cities by the laws of the State of Minnesota. The city shall have the power to issue and sell its bonds to the State of Minnesota and to comply with all provisions of law relative to loans to municipalities from the permanent state funds. The city shall also have such powers as are necessary to obtain loans or funds from the Government of the United States and any of its instrumentalities, and to comply with all provisions of law applicable to obtaining such loans or funds. The powers granted in this paragraph are in addition to and separate from the powers granted by any other provisions of this charter. Notwithstanding Section 1.04 of this charter, if the provisions of any laws referred to in this paragraph are inconsistent with other provisions of this charter, the provisions of such laws shall be controlling as to powers granted by such laws.

(b) In addition to its powers granted under Section 6.15(a) of this charter, the council, by a vote of at least six (6) of its members and without submitting the question to the voters, may authorize the issuance of bonds for any purpose permitted by state law.

(c) The total bonded debt of the city at the time any bonds are issued shall not exceed the limit authorized by state law for cities of the same class and statutory cities.

(Ord. No. 2291-05, 6-7-05)

Section 6.16. Form and repayment of bonds.

(a) No bonds which pledge the full faith and credit of the city to their payment shall be issued to run for longer than the reasonable life expectancy of the property or improvement for which such bonds are authorized, as ascertained, and set forth in the resolution authorizing such bonds, and in no case shall such bonds be issued to run for more than thirty (30) years unless a longer maturity is otherwise authorized by state law. The purposes for which bonds are authorized shall be set forth in the resolution authorizing them, and the proceeds from such bonds which pledge the full faith and credit of the city to their payment shall not be diverted to any other purposes.

(b) It shall be the duty of the city manager to include estimates in each year's budget of the sums necessary to pay the interest on and principal of any bonds payable in the coming fiscal year constituting expenditures to be included in the budget and payable from revenues to be included in the budget. It shall be the duty of the council, enforceable by mandamus upon the suit of any bondholder or taxpayer, to include such sum or sums as may be necessary for this purpose in the approved annual budget.

(Ord. No. 2291-05, 6-7-05)

Section 6.17. Debt and tax anticipation certificates.

(a) If, in any year, the receipts from taxes or other sources should become insufficient for the ordinary expenses of the city, as provided in the budget, or if any calamity or other public emergency should subject the city to the necessity of making extraordinary expenditures, the council may authorize the sale of emergency debt certificates to bear interest at not more than the rate established by state law and for terms not to exceed eighteen (18) months. A tax sufficient to redeem all such certificates at maturity shall be levied as part of the budget for the following year. The authorization for an issue of such emergency debt certificates shall be by ordinance approved by at least five (5) of the members of the council; the ordinance may, if necessary, be passed as an emergency ordinance.

(b) For the purpose of providing money necessary to meet authorized expenditures, the council may issue certificates of indebtedness in any year prior to the receipt of taxes payable in such year. Such certificates shall be repaid out of such taxes before the end of such year on such terms and conditions as the council may determine and shall bear interest at a rate not to exceed that established by state law, such certificates outstanding at any one time shall not exceed forty (40) percent of the tax levy payable in the current year to the fund which benefited from the borrowing.

Section 6.18. Bonds outside the debt limit.

The council may authorize the issuance of bonds for lawful purposes outside of the debt limit without limitation on their amount:

(a) For the creation and maintenance of a permanent improvement revolving fund;

(b) For extending, enlarging, or improving revenue-producing public utilities of whatever nature, owned, and operated by the city, or of acquiring property needed in connection therewith;

(c) For public improvements payable from special assessments; and

(d) For any authorized purpose for which obligations may be issued without regard to debt limit under state law.

The council may also authorize the lease purchase of equipment or the purchase of equipment on conditional sale contracts, provided that the lease or installment payments do not extend beyond the estimated useful life of the equipment so leased or purchased, as ascertained, and set forth in the resolution authorizing such lease or conditional sales contract.

(Ord. No. 2291-05, 6-7-05)

CHAPTER 7. PUBLIC IMPROVEMENTS AND SPECIAL ASSESSMENTS

Section 7.01. The city plan.

The city council shall, with the assistance of the city manager and an advisory city planning commission, prepare and adopt a comprehensive city plan for the future physical development of the city. Such plan may be altered from time to time. It may include provisions for zoning, for the platting and development of new areas, for the planning and location of public works of art, public buildings, parks, playgrounds, bridges, transportation lines, and other public facilities, and for the laying out, grading and improving of streets and public places, as well as for all other matters which may seem essential to such a plan.

Section 7.02. Enforcement of city plan.

The council shall have power, acting through the city manager, to enforce a comprehensive zoning ordinance. The council shall have power to pass ordinances to regulate the use of private property, such as but not limited to the height of buildings, the proportion of the area of any lot which may be built upon, building lines and proper and adequate provisions for parking. Such power shall be exercised to promote public health, safety, morals, welfare, and convenience.

Section 7.03. Public improvements and special assessments.

The city shall have the power to make any and every type of public improvement not forbidden by the laws of this state and to levy special assessments to pay for all such improvements which are of a local character. The amounts assessed to benefited property to pay for such local improvements may equal the cost of the improvements, including all costs and expenses connected therewith, with interest, until paid, but shall not exceed the benefits to the property.

Section 7.04. Local improvements.

The council may prepare and adopt an ordinance, prescribing the procedure which shall be followed in making all local improvements and levying assessments. Such ordinance, when adopted, shall supersede all other municipal provisions of the law on the same subject and may be amended only by an affirmative vote of at least five (5) members of the council. Until the adoption of such an ordinance, and in absence of such ordinance, all local improvements may be made, and assessments levied as prescribed by applicable law.

Section 7.05. Public works--how performed.

Public works, including all local improvements, may be constructed, extended, repaired, and maintained either directly by day labor or by contract. The city shall require contractors to give bonds for the protection of the city and all persons furnishing labor and materials pursuant to the statutes of the state.

CHAPTER 8. EMINENT DOMAIN

Section 8.01. Power to acquire property.

The City of St. Louis Park is hereby empowered to acquire, by purchase, gift, devise or condemnation, any property, corporeal or incorporeal, either within or without its corporate boundaries, which may be needed by the city for any public use or purpose. Easements for any public purpose may be acquired by gift, devise, purchase, or condemnation in the manner provided by law.

Section 8.02. Proceedings in acquiring property.

The necessity for the taking of property by the city shall be determined by the council and shall be declared by a resolution which shall describe such property and state the use to which it is to be devoted. In the acquisition of property by the exercise of the right of eminent domain, the city shall proceed according to applicable law.

Section 8.03. Payment of award.

Whenever an award of damages shall be confirmed in any proceeding for the taking of property under this charter, or whenever the court shall render final judgment in any appeal from any such award, and the time for abandoning such proceedings by the city shall have expired, the city shall be bound to, and shall, within sixty (60) days of such final determination, pay the amount of the award or judgment of the court, as the case may be, and if not so paid, judgment therefore may be had against the city.

Section 8.04. City may abandon proceedings.

The city may, by resolution of the council at any stage of the condemnation proceedings or at any time within thirty (30) days after final determination thereof, abandon such proceedings as to all or any parcel of the property sought to be acquired and shall pay all reasonable costs and expenses thereof, including fees of counsel.

Section 8.05. City may acquire entire plant.

In case the city shall condemn a public utility which is operated at the time of the commencement of the condemnation proceedings as one property or one system, it shall not be necessary in such condemnation proceedings, or any of the proceedings of the council, to describe or treat separately the different kinds of property composing such system, but all of the property, lands, articles, franchises and rights which enter into and go to make up such system may, unless otherwise ordered by the court, be treated together as constituting one property, and an award for the whole property in one lump sum may be made by the commissioners or other body assessing the damages in condemnation. This shall not prevent the city from acquiring only such part or parts thereof as may be necessary in the public interest in cases where the plant and property are separable into distinct parts.

CHAPTER 9. FRANCHISES

Section 9.01. Definition of franchise.

The word "franchise" as used in this charter shall be construed to include all privileges granted to any person, firm, association, or corporation in, over, upon or under any of the highways or public places of the city, whether such privileges have been or shall hereafter be granted either by the city or by the State of Minnesota.

Section 9.02. Franchise ordinances.

The council may grant franchises by ordinance. Every ordinance granting a franchise shall contain all the terms and conditions of the franchise and shall be adopted in the manner prescribed by chapter 3 of the charter, except that no franchise will be granted by emergency ordinance. In addition to the requirements of chapter 3 of the charter, no franchise ordinance shall be granted until a public hearing has been held by the city council. Notice of the public hearing must be published at least once in the city's official newspaper at least twenty (20) days prior to the public hearing.

CHAPTER 10. PUBLIC OWNERSHIP AND OPERATION OF UTILITIES

Section 10.01. Construction, acquisition, and operation of utilities.

The city shall have power to acquire public utilities as provided in chapter 8 of this charter and to build and construct such utilities as may be authorized by at least sixty (60) percent of the votes cast on the issue at a regular or special election.

Section 10.02. Rates and finances.

Upon recommendations of the city manager, or upon its own motion, the council shall have the power to fix all rates and charges for all utilities owned by the city, but such rates and charges shall be just and reasonable. The council may prescribe the time and manner in which payments for all such services shall be made, make such other regulations as may be necessary and prescribe penalties for violations of such regulations.

Section 10.03. Purchase in bulk.

The council may, in lieu of providing for the local production of gas, electricity, water, and other utilities, purchase them in bulk and resell them to local consumers at such reasonable rates it may fix.

Section 10.04. City to pay for services.

The council shall make a reasonable charge, based on the cost of service, for lighting the streets and public buildings, for supplying heat, water, power, or any other utility. Such charges for light, heat, power, water, and other services shall be collected in the same manner as from other consumers, unless the council provides some other plan.

Section 10.05. Lease of plant.

The council may, if the public interests will be served, contract with any responsible person, co-partnership, or corporation for the operation of any utility owned by the city, upon such rentals and conditions as it may deem necessary. Such contract shall be embodied in and let only by an ordinance approved by an affirmative vote of at least five (5) members of the council. In no case shall such contract be for a longer term than ten (10) years. The contractor shall be subject, as far as possible, to the rules governing rates, service, and council control, contained in chapter 9 of this charter which are applicable to the holders of franchises.

Section 10.06. Public utility--how sold.

No public utility owned by the city shall be sold or otherwise disposed of by the city unless the full terms of the proposition of said sale or other disposition thereof, together with the price to be paid therefore, shall have been embodied in an ordinance passed by an affirmative vote of at least five (5) members of the council, submitted to the electors at a general or special election and approved by at least a sixty (60) percent vote of the voters voting thereon.

CHAPTER 11. MISCELLANEOUS PROVISIONS

Section 11.01. Sale of real property.

No real property of the city shall be sold or disposed of except by ordinance or resolution. The proceeds of any such sale shall be used as far as possible to retire any outstanding indebtedness incurred by the city in the purchase, construction or improvement of this or other property used for the same public purpose. If there is no such outstanding indebtedness, the council may, by a resolution adopted by an affirmative vote of at least five (5) members of the council, designate some other public use for such proceeds.

Section 11.02. Vacation of streets.

The council shall have the exclusive power, by ordinance passed by a vote of at least five (5) members of the council, to vacate or discontinue highways, streets, and alleys within the city. Such vacations may be made only after notice to affected property owners after hearing, upon such further terms, and by such procedure as the council may, by ordinance, prescribe. A record of each such vacation shall be filed in the office of the County Recorder or the Registrar of Titles of Hennepin County, as appropriate.

Section 11.03. Damage suits.

The State of Minnesota has regulated actions for the recovery of damages for injuries to persons and property by statute. Therefore, the Minnesota Tort Claims Act, applicable to Minnesota municipalities as it may be amended from time to time, M.S.A. Ch. 466, is hereby adopted by reference. The city expressly preserves all rights and defenses accorded to it by law, including the right to bring claims for contribution or indemnity. (Ord. No. 2614-21, 5-17-21)

Section 11.04. Civil service commission.

Subject to Minnesota statutes and the provisions of this charter, the city council may establish, alter from time to time, or abolish, by ordinance, a civil service or merit system for all regular city employees or for such classifications as may be deemed advisable. The city council may create and appoint a civil service commission to administer and supervise such civil service or merit system. (Ord. No. 2291-05, 6-7-05)

Section 11.05. Civil Penalties.

(a) The city council may establish by ordinance a procedure for imposing a civil penalty for any violation of a city ordinance. The procedure must include provisions to notify the person or entity of the penalty and the opportunity to be heard in response to the charge.

(b) The city council may provide by ordinance that unpaid civil penalties be collected through a process similar to a special assessment against real property if the penalty relates to the maintenance of the property or to an activity, use, or delivery of city service associated with the property. The ordinance must provide that the city should first attempt to obtain voluntary payment of the penalty. The ordinance must also provide that notice and an opportunity to be heard be given to the property owner listed on the official tax records before the penalty is assessed.

(c) With respect to unpaid civil penalties assessed against real property pursuant to paragraph (b) of this section, the assessment may include late payment penalties to cover the administrative and legal costs incurred by the city in connection with collecting the unpaid penalties.

(Ord. No. 2411-12, 6-15-12)

CHAPTER 12. CODE OF ETHICS

Section 12.01. Declaration of policy.

The proper operation of democratic government requires that public officials be independent, impartial, and responsible to the people; that governmental decisions and policy be made in the proper channels of the governmental structure; that public office not be used for personal gain, and that the public has confidence in the integrity of its government. In recognition of these goals, there is hereby established a code of ethics for all public officials. The purpose of this code is to establish ethical standards of conduct for all such officials by setting forth those acts or actions that are incompatible with the best interests of the city and by directing disclosure by such officials of private financial or other interests in matters affecting the city. The provisions and purpose of this code and such rules and regulations as may be established are hereby declared to be in the best interests of the City of St. Louis Park.

Section 12.02. Definitions.

When used in this chapter, the following terms shall have ascribed to them the definitions set out herein:

(1) *Associate* means any person related to a public official by blood or marriage.

(2) *Candidate* means any individual who seeks nomination or election as a public official of the City of St. Louis Park. An individual shall be deemed to seek nomination or election if they have taken the action necessary under the ordinances of the City of St. Louis Park to qualify for nomination or election to an office, or have received contributions or made expenditures in excess of one hundred dollars ($100.00), or have given consent, implicit or explicit, for any other person to receive contributions or make expenditures in excess of one hundred dollars ($100.00) with a view to bringing about their nomination for election or election to an office. (Ord. 2614-21, 5-17-21)

(3) *Contribution* means a transfer of funds or a donation in kind and includes any loan or advance of credit to a candidate, personal campaign committee, political committee, or party committee, which loan or advance of credit is (a) forgiven or (b) paid by an entity other than the personal campaign committee, political committee, or party committee to which the loan or advance of credit is made. If an advance of credit or a loan is forgiven or paid as provided in this subdivision, it is a contribution in the year in which the loan or advance of credit is made.

(a) *Transfer of funds* means money or negotiable instruments given by an individual or entity to a candidate, personal campaign committee, party committee or political committee for the purpose of influencing the nomination or election of a candidate.

(b) *Donation in kind* means anything of value other than money or negotiable instruments given by an individual or association to a candidate, personal campaign committee, political committee, or party committee for the purpose of influencing the nomination or election of a candidate. Donation in kind includes an approved expenditure.

(c) *Approved expenditure* means an expenditure made on behalf of a candidate by an entity other than the personal campaign committee of that candidate, which expenditure is made with the authorization or express or implied consent of, or in cooperation or in concert with, or at the request or suggestion of that candidate, the candidate's personal campaign committee, or the candidate's agent. An approved expenditure is a contribution to that candidate.

(4) *Expenditure* means a purchase or payment of money or anything of value, or an advance of credit, made or incurred for the purpose of supporting or opposing the nomination or election of a candidate.

An expenditure is considered to be made in the year in which the goods or services for which it was made are used or consumed.

Expenditure includes the dollar value of a donation in kind.

Expenditure does not include:

(a) Transfers of funds as defined in Section 12.02(3)(a);

(b) Services provided without compensation by an individual volunteering time on behalf of a candidate; or

(c) The publishing or broadcasting of news items or editorial comments by the news media.

(5) *Election* means a primary, special primary, regular or special City election.

(6) *Interest* means any concern which yields a pecuniary or material benefit.

(7) *Personal campaign committee* means any committee appointed by a candidate for any election.

(8) *Party committee* means any committee appointed or elected to represent any political party with a party organization in the State of Minnesota.

(9) *Political committee* means a group of two or more persons who were elected or appointed by any political party or association for the purpose, wholly or partly, of raising, collecting or disbursing money or directing the raising, collecting or disbursing thereof, for nomination or election purposes, or who cooperates in the raising, collecting or disbursing of money used, or to be used for or against the election to public office of any person or any class or number of persons, or for or against the adoption of any ordinance or charter amendment.

(10) *Public official* means any person holding the office of mayor or councilmember by election or by appointment.

Section 12.03. Organization of personal campaign committees.

Every candidate shall designate a single personal campaign committee which shall have a treasurer. The candidate shall file a signed statement with the city clerk stating that a personal campaign committee has been formed and giving the name and address of every member and of the treasurer thereof. Such filing shall be made before any expenditures are made by the personal campaign committee. Only the candidate and the personal campaign committee shall receive contributions and make expenditures on behalf of the candidate; provided, however, that party committees and political committees shall not be prohibited from receiving contributions and making expenditures related to nominations or elections.

Section 12.04. Contributions.

(1) A candidate or personal campaign committee may not accept aggregate contributions made by an individual or committee in excess of the contribution limits provided for in Minnesota Statutes Section 211A.12. (Ord. No. 2530-18, 2-5-18)

(2) Every person who receives a contribution or loan for a personal campaign committee shall, on demand of the treasurer, and in any event, within fourteen (14) days after receipt of the contribution or loan, furnish the treasurer with the name and, if known, address of the contributor or lender, the amount contributed or loaned and the date of receipt.

(3) No anonymous contributions in excess of twenty dollars ($20.00) or any anonymous contributions aggregating in excess of one hundred dollars ($100.00) in any calendar year shall be retained by the personal campaign committee but shall be forwarded to the city clerk and deposited to the general fund of the city. This subdivision shall not apply to anonymous contributions aggregating in excess of one hundred dollars ($100.00) arising from fund raising sales, where in consideration of a contribution or contributions, a person receives any tangible goods whose value has a reasonable relationship to the contribution.

(4) All contributions of fifty dollars ($50.00) or more shall be made by check, bank draft or money order.

(5) All monetary contributions received by or on behalf of any candidate or personal campaign committee shall be deposited within fourteen (14) days after receipt in an account designated "campaign fund of (name of personal campaign committee)."

Section 12.05. Use of contributions.

All contributions received on behalf of a candidate or personal campaign committee shall be used solely for the purpose of conducting that candidate's campaign for nomination for election or election to political office. Following an election any remaining contributions may also be paid to the city general fund, a party committee, or any charity. Contributions may not exceed fifty dollars ($50.00) annually to any one charity.

Section 12.06. Campaign reports.

(1) The candidate or treasurer of every personal campaign committee in every regular or special election, shall file a financial report with the city clerk as follows:

(a) Ten (10) days before the regular or special elections;

(b) Thirty (30) days after the regular or special election; and

(c) January 31 in the year following the regular or special election.

The report shall be verified upon the oath of such candidate or treasurer of such personal campaign committee and shall cover all transactions made up to and including the third day before the filing of the report and not accounted for and reported upon in reports previously filed, except that no transactions shall be made thereafter which are not included in the final report. Each report, after the first, shall contain a summary of all preceding reports.

(2) The reports required by Section 12.06(1) shall disclose the following:

(a) Every contribution received by such candidate or committee during such period from any source whatsoever which the candidate or committee uses or has used, or is at liberty to use for political purposes which in aggregate exceeds one hundred dollars ($100.00) within the calendar year, together with the name of every person or source from which each was received and the date when each was received, together with the total amount received from all sources in any amount or manner;

(b) Every promise or pledge of money, property or other thing of value, which in aggregate exceeds one hundred dollars ($100.00) within the calendar year, received by such candidate or committee during such period, the proceeds of which the candidate or committee uses or has used, or is at liberty to use for political purposes, together with the names of the persons by whom each was promised or pledged, the special purposes for which each was promised or pledged, and the date when each was promised or pledged, together with the total amount promised or pledged from all sources in any amounts or manner;

(c) Every disbursement by such candidate or committee for political purposes during such period, together with the name of every person to whom the disbursement is made, the specific purpose for which each was made and the date when each was made;

(d) Every obligation, expressed or implied, to make disbursement incurred by such candidate or committee for political purposes during such period, together with

the names of the person or persons to or with whom each such obligation has been incurred, the specific purposes for which each was made, and the date when each was incurred, together with the total amount of such obligations made in any amounts or manner.

Section 12.07. Records.

(1) The candidate or the treasurer of each personal campaign committee or political committee shall preserve all records and accounts required for the reports required in Section 12.06 for one year after the date of the election.

(2) The city clerk shall keep all reports filed as required by Section 12.06 for one (1) year after the date of the election. Reports shall be available to the public at a reasonable time and place.

Section 12.08. Notice of failure to file.

The city clerk shall receive all reports filed as required by Section 12.06 and notify the person required to file a report that such person has failed to file a document by this chapter.

Section 12.09. Termination report.

No personal campaign committee, party committee or political committee shall dissolve until it has filed a termination report. The termination report shall include all information required in periodic reports and a statement as to the disposition of any residual funds.

Section 12.10. Distribution.

The city clerk shall distribute a copy of sections 12.02 through 12.11 to every candidate for public office upon the candidate's filing for office.

Section 12.11. Penalty.

Any candidate, personal campaign committee, party committee or political committee found to be in violation of sections 12.02 through 12.09 shall be liable for a fine of not more than five hundred dollars ($500.00).

Section 12.12. Filing of Information.

Each public official and each candidate must file as public record in the office of the city clerk a statement containing the following:

(1) Individual's name, address, occupation and principal place of business;

(2) A listing of all sources of compensation received for services rendered in excess of one thousand dollars ($1,000.00) per year without specifying the dollar amount;

(3) A list of the names of all business corporations, companies, firms or other business enterprises or partnerships with which the individual is connected as an employee, officer, owner, director, trustee, partner, advisor, or consultant.

(4) A list of financial interests through ownership of stocks, bonds, or other securities with value in excess of one thousand five hundred dollars ($1,500.00) without specifying the dollar amount.

(5) A list of all real property located within the City of St. Louis Park, excluding personal homestead property, in which the individual has any financial interest in excess of one thousand five hundred dollars ($1,500.00). The filing shall indicate the location of such property but may omit any valuation.

Section 12.13. Family interests.

If the spouse and/or minor children of a public official or candidate hold an interest which, if held by the official or candidate would have to be disclosed under the provisions of section 12.12, such interest of the spouse and/or minor children must be included in the statement filed according to section 12.12.

Section 12.14. Exclusions.

Section 12.12 shall not be construed to require:

(1) Filing of any information relative to connections or interests with any nonprofit organization.

(2) Disclosure of privileged relationships, as recognized by law (e.g., doctor-patient, attorney-client, pastor-parishioner, etc.).

Section 12.15. Time of required filing.

The times at which required personal financial disclosure filings must be made are as follows:

(1) Public officials--not later than sixty (60) days after the effective date of this amendment and every April 15 thereafter.

(2) Candidates--within fourteen (14) days after filing an affidavit of candidacy or petition to appear on the ballot for an elective office.

Section 12.16. Records.

The city clerk shall keep all reports filed as required by sections 12.12 through 12.15 for four (4) years.

Section 12.17. Penalty.

Any candidates or public officials who fail to file all the necessary documents with the city clerk within thirty (30) days after notice from the city clerk that they are delinquent in their filings shall be liable for a fine of not more than five hundred dollars ($500.00).

Section 12.18. Personal financial conflicts of public officials.

(a) *Contracts void.* Except for any contract permitted by M.S.A. § 471.88, any public official who is authorized to take part in any manner in making a sale, lease, or contract in their official capacity shall have no personal financial interest in that sale, lease, or contract or personally benefit financially therefrom unless the effect on the public official's personal financial interest is no greater than on any other person and/or property similarly situated. Any sale, lease, or contract entered into by the city with regard to which a public official has acted in violation of this section is void. Any money which is paid by the council in violation of this paragraph may be recovered from any and all persons interested therein. Any vote pursuant to M.S.A. § 471.88 must be unanimous by council.

(b) *Noncontractual transactions voidable.* Any public official who in the discharge of their duties would be authorized to take an action, vote, or make a decision concerning a noncontractual transaction of the city which would affect the public official's interests, unless the effect on their interests is no greater than on other persons and/or property similarly situated, shall disqualify themselves from such action, vote or decision. Any transaction entered into by the city with regard to which a public official has acted in violation of this paragraph is voidable at the option of the council. Any money, which was paid by the council in violation of this paragraph, may be recovered from any and all persons interested therein.

(Ord. No. 2614-21, 5-17-21)

Section 12.19. Financial conflicts of associates of public officials; contracts and transactions voidable.

Any public official who in the discharge of their duties would be authorized to take an action, vote or make a decision concerning a contractual or non-contractual transaction which would affect the interests of their associates, unless the effect on the interests of their associates is no greater than on other persons and/or property similarly situated, shall disqualify themselves from such action, vote or decision.

Any contract or transaction entered into by the city with regard to which a public official has acted in violation of this section is voidable at the option of the council. Any money, which was paid by the council in violation of this section, may be recovered from any and all persons interested therein.

(Ord. No. 2614-21, 5-17-21)

Section 12.20. Gifts and favors.

No public official shall accept any valuable gift, whether in the form of money, service, loan, thing or promise, from any person, firm or corporation which to their knowledge is concerned, directly or indirectly, in any manner whatsoever in business dealings with the city; nor shall any public official (1) accept any gift, favor or thing of value that may tend to influence them in the discharge of their duties; or (2) grant in the discharge of their duties any improper favor, service, or thing of value or accept an offer which would not have been given if they were not an official; or (3) accept or receive anything of value through sale or gift of goods or services which would result directly or indirectly from their position as a public official of the City of St. Louis Park.

(Ord. No. 2614-21, 5-17-21)

Section 12.21. Use of city equipment and facilities.

No public official shall request or permit the unauthorized use of city-owned vehicles, equipment, materials, property, labor or services for personal convenience or profit.

Section 12.22. Distribution.

The city clerk shall distribute a copy of this chapter to every public official within thirty (30) days after enactment of these sections. The city clerk shall also distribute a copy of this chapter to every subsequently elected or appointed public official within fourteen (14) days of the public official's election or appointment to public office and every candidate for city office upon the candidate's filing for office.

APPENDIX A. CERTIFICATE OF COMMISSION

We, the undersigned, being duly appointed, qualified and acting members of the Board of Freeholders (Charter Commission) in and for the Village of St. Louis Park, Hennepin County, Minnesota, hereby certify that the foregoing document consisting of Chapters 1 through Chapter 11, inclusive, is the draft of a proposed Charter prepared and framed by said Board of Freeholders, and hereby affix our signatures to said draft in testimony of our approval thereof, and deliver the same to the Honorable Russell Fernstrom, President of the Council of said Village, as the chief magistrate or executive thereof, for the action pursuant to law.

Dated at St. Louis Park, Minnesota, this _____ day of _____, 1954.

MAURICE ADELSHEIM, JR.	J. E. ADOLPH KARLSSON
WILLIAM R. CHAPMAN	LELAND F. LELAND
JAMES S. CULLEN	MRS. LYDIA ROGERS
TRES F. GOETTING	EDMUND T. MONTGOMERY
MRS. GERTRUDE HOGNANDER	MRS. CATHERINE WESTERDAHL
FRED W. KAEPPEL	EDWARD ROUSE
WALTER WHEELER	
EVERETT A. DRAKE, CHAIRMAN	

The foregoing draft of a proposed Charter and certificate in connection therewith received this day of _____, 1954.

(Adopted December 7, 1954; effective January 7, 1955)

APPENDIX B. LIST OF AMENDMENTS

Text--(C)hapter or (S)ection	Passage Date	(O)rdinance or Election	Effective Date
(S) 4.03, 4.06	11/4/58	Election	12/4/58
(S) 2.08	12/8/59	Election	1/8/60
(S) 2.05	11/8/60	Election	12/8/60
(S) 4.02, 5.06, 6.04, 6.14	11/8/66	Election	12/8/66
(S) 2.04	6/14/71	(O) 1149	9/15/71
(S) 4.08	7/19/71	(O) 1158	10/20/71
(S) 5.02(b)	8/30/71	(O) 1163	10/31/71
(S) 2.03	3/5/73	(O) 1211	6/6/73
(S) 5.05, 5.06	5/29/73	(O) 1224	8/29/73
(S) 6.14	5/29/73	(O) 1225	8/29/73
(S) 11.04	5/29/73	(O) 1226	8/29/73
(S) 11.04, 11.10, 11.11, 11.12, 11.13, 11.14	2/3/75	(O) 1278	5/7/75
(S) 2.03, 2.06, 2.07, 2.08, 2.09, 2.10	2/3/75	(O) 1279	5/7/75
(S) 3.03, 3.06, 3.09	4/7/75	(O) 1288	7/9/75
(S) 5.01, 5.02	4/7/75	(O) 1289	7/9/75
(S) 6.02, 6.03, 6.04, 6.05, 6.09, 6.10, 6.14, 6.15, 6.16, 6.17	4/7/75	(O) 1290	7/9/75
(S) 7.02, 7.04	4/7/75	(O) 1291	7/9/75
(S) 2.05, 4.03, 4.04	2/7/77	(O) 1362-77	5/17/77
(S) 2.03, 2.05, 3.01	11/8/77	Election	12/15/77
(S) 2.07	11/20/78	(O) 1432-79	12/1/79
(S) 2.09	11/6/79	Election	12/6/79
(C) 12	11/4/80	Election	12/4/80
(S) 3.07	2/18/82	(O) 1540-82	4/22/82
(S) 4.05	7/19/82	(O) 1567-82	10/26/82
(S) 2.03	11/2/82	Election	12/2/82
(S) 1.03, 1.04, 1.05, 2.03(b), 2.06, 2.07(a-d), 3.07(a-b), 4.06, 5.04(a-b), 5.05, 5.06, 6.02, 6.04, 6.05, 6.06, 6.07, 6.08, 6.11, 6.12, 6.14, 6.15(b), 6.17(a-b), 6.18(b-c), 8.01, 8.02, 9.02, 9.03, 9.05, 9.06(a-b), 11.01-11.05, 11.06, 11.07	3/21/83	(O) 1593-83	6/28/93
(S) 2.03	1/21/85	(O) 1644-85	6/28/83

Text--(C)hapter or (S)ection	Passage Date	(O)rdinance No. or Election	Effective Date
(S) 1.00	9/15/86	(O) 1695-86	10/7/86
(S) 2.04, 3.04, 3.07, 4.06, 4.07, 5.01, 5.05, 5.06, 6.17, 11.03, 11.04, 12.01(3), 12.03	5/4/87	(O) 1716-87	8/10/87
(S) 2.05, 2.06, 4.06, 4.07, 5.01, 5.02, 5.04, 6.05, 6.06, 6.07, 6.15, 11.04 plus minor changes to: 1.02, 1.04, 2.03, 2.04, 2.07, 2.08, 2.09, 3.01, 3.03, 3.04, 3.06, 3.07, 3.09, 3.10, 4.03, 4.08(C) 5 & 6, (S) 7.01, 7.02, 7.04, 8.02, 8.05, (C) 9-11	5/20/91	(O) 1855-91	7/1/91
(S) 1.00, 1.02, 2.03, 3.03, 3.07, 5.02, 6.04, 6.08, 6.11, 6.13, 11.02, 1.04, Index	10/20/92	(O) 1898-92	12/10/92
(S) 4.03, 4.06, 6.11, 6.15, 6.16, 6.18	5/3/93	(O) 1913-93, 1914-93, 1916-93	8/11/93
(S) 5.05 & 5.06	7/1/96	(O) 2070-96	9/29/96
(S) 1.00	6/2/97	(O) 2094-97	9/9/97
(S) 2.02, 6.05, 6.07, 6.12, 6.14, 12.03, 12.04, 12.05, 12.06, 12.07 & 12.18	4/20/98	(O) 2114-98	7/19/99
(S) 11.03, Chapter 11--Certificate of Commission, Chapter 13--Index, Chapter 14--Amendments	9/8/99	(O) 2127-98	12/7/99
Table of Contents, (S), 1.02, 2.06, 2.08, 3.01, 3.03, 3.07, 5.05, 5.06, 5.07, 7.04, 9.02 through 9.09, 11.02, 11.04, 11.05, Index	3/5/01	(O) 2193-01	6/12/2001
(S) 4.02, 4.03, 4.06, 5.05, 6.04, 6.15, 6.16, 6.18, amended. 11.01, 11.06 (deleted)	3-14-2005	(O) 2291-05	6/7/2005
(S) 3.10 (deleted), 5.06	12-15-08	(O) 2365-08	3/25/2009
(S) 4.03, 4.06, 6.09, 6.10	6-28-10	(O) 2386-10	10/6/2010
(S) 4.01, 4.03, 4.04, 4.05, 4.06, and 4.07	5-15-17	(O) 2519-17	8/16/2017
(S) 4.08	5-7-18	(O) 2535-18	8/15/2018
(S) 2.05, 3.01, 11.03, 12.02, 12.18, 12.19, 12.20	5-17-21	(O) 2614-21	8/25/2021

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