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## TWO HARBORS CITY CHARTER

### CHAPTER I, Introduction

#### Names And Boundaries

Section 1. The City of Two Harbors, Lake County, Minnesota shall continue to be a municipal corporation under that name and with the same boundaries as now are or hereafter may be established. The city administrator shall keep in his/her office at least two copies of this charter with amendments and shall maintain in each copy an accurate and up-to-date legal description and map of the boundaries of the city. The copies of the charter, amendments, boundary descriptions and map shall be available for public inspection anytime during regular office hours.

#### Powers Of The City

Section 2. The city shall have all powers which it may now or hereafter be possible for a municipal corporation in this state to exercise in harmony with the constitution of this state and of the United States and with the statutes of this state. It is the intention of this charter that every power that the people of this city might lawfully confer upon themselves as a municipal corporation by specific enumeration in this charter is deemed to have been so conferred by this section. The charter shall be construed liberally in favor of the city and the specific mention of particular municipal powers in other sections of this charter does not limit the powers of the city to those thus mentioned. Unless specifically granted to some other officer or body, all powers are vested in the city council. If the charter is silent on an issue, the city may apply statutory language, per Minnesota statutes, as may be amended from time to time.

#### Charter A Public Act

Section 3. This charter is a public act and need not be pleaded or proved in any case.

#### Succession

Section 4. When this Charter took effect the City of Two Harbors became the legal successor of the Village of Two Harbors, and was vested with all the rights and immunities formerly vested in said Village of Two Harbors, except as herein otherwise provided, and all ordinances existing at the time were given full force and effect until repealed or modified. All property, property rights, and interests of every kind and nature, formerly vested in said Village of Two Harbors, were vested in the City of Two Harbors under this charter; and all previously existing indebtedness, obligations and liabilities of said Village of Two Harbors, were assumed by the City of Two Harbors.

the city, all deeds, leases or other conveyances, or other written transfers of property made, except as otherwise provided in this charter. The mayor's signature will be attested by the city administrator.

#### Mayor Shall Communicate Service of Process

Section 3. The mayor shall, upon service of notice, summons or process in any action or proceeding against the city, forthwith inform the city attorney and the city council thereof.

### CHAPTER V, Powers And Duties Of City Council

#### Legislative Power Vested in City Council

Section 1. The legislative power and authority of the city shall be vested in a city council, composed of the council members and mayor. The city council, except as in this charter otherwise provided, shall have the general management and control of the finances and all property of the city, and shall have full power and authority to make, amend or repeal all such ordinances and resolutions as it shall deem expedient for the government and good order of the city, for the protection of the public and public health, comfort and safety.

#### Organization

Section 2, The city council shall, at its first regularly scheduled meeting in January following the regular municipal election, organize, and at the time of its organization, proceed to elect a president and vice president for a two year term, and such other officers as may be necessary for the transaction of its business. The mayor and council members shall be eligible for such positions. Such election shall be by ballot if so requested by any member, and the affirmative vote of the majority of all the members present shall be necessary.

#### Duties of President

Section 3. The president, and in the case of the absence of the president, the vice president, shall preside over the meetings of the city council, and shall sign all resolutions and ordinances passed by the city council. During the absence of the mayor from the city, or the mayor's inability for any reason to discharge the duties of the office, the president and in the case of the absence of the president, the vice president shall have and exercise all the powers and duties of the mayor, as "acting mayor." The acts of such acting mayor shall have the same force and effect as if performed by the mayor.

#### Rules and Special Meetings

Section 4. The city council shall prescribe rules for its own guidance and the time for its regular meetings. A majority of the members of the council shall constitute a quorum. A quorum is required to conduct business. Special meetings shall be called in accordance with the statutes of the State of Minnesota. No business shall be transacted at a special meeting unless the same shall have been specified in the call.

## Designation of Official Papers

Section 5. The council must annually designate a legal newspaper of general circulation in the city as the official newspaper. Ordinances, matters required by law and this charter to be published, and other matters that the council deems necessary are published in the official newspaper.

## Ordinances and Resolutions

Section 6. The city council may act by ordinance or resolution. No ordinance, except for general appropriations, shall contain more than one subject, which shall be expressed in its title, nor shall any ordinance be amended after its introduction so as to change its original purpose.

## Readings of an Ordinance

Section 7. No ordinance shall be introduced except at a regular meeting, at which meeting it shall have its first reading. Its second reading shall be had at subsequent regular or adjourned regular meetings occurring at least one (1) week after its first reading, and such ordinance shall not be amended after the meeting at which it receives its second reading. It shall receive its third reading and be voted on only at a regular or adjourned regular meeting occurring at least one (1) week subsequent to the time at which the second reading was had.

## Passage of Ordinances and Resolutions

Section 8. Every ordinance, except as in this charter or state statute otherwise provided, shall be passed by a majority vote of the members of the city council present. Resolutions, moratorium ordinances, and emergency ordinances are effective immediately upon passage or at a later date stated in the ordinance or resolution. Any other ordinance is effective 30 days after a publication of the ordinance in the official newspaper of the city, or at a later date stated in the ordinance.

The proof of such publication of ordinances by the affidavit of the newspaper, with a printed copy of the ordinance attached thereto, or any other competent proof of such publication, shall be prima facie evidence of the enactment and publication of such ordinance in any court in this state.

All ordinances shall be recorded by the city administrator, in books to be provided for that purpose.

## Ordinances and Resolutions Requiring Two-thirds Vote

Section 9. A two-thirds (2/3) vote of all the members of the city council present shall be required for every ordinance or resolution appropriating money, or for the issuance of certificates of indebtedness in anticipation of tax or assessment levies, awarding or approving any contract for the payment of money, ordering any condemnation of private property, or the making of any local improvements.

#### Witnesses Before City Council

Section 10. The city council and any of its committees authorized by it so to do, shall have the power to compel the attendance of witnesses and the production of books, papers and other evidence at any of its meetings, or before such committee, and for that purpose may issue subpoenas or attachments in any case of inquiry or investigations, to be signed by its president, or the chair of such committee, as the case may be, which shall be served and executed by any officer or person authorized by law to serve subpoenas and other processes.

#### Power to Levy Taxes and Make Assessments

Section 11. It shall have the power to fix the rate of, subject to the restrictions in this charter contained, and levy and collect general and special taxes for municipal purposes on real property in the city, and to levy assessments for local improvements, and to prescribe the procedure in making improvements and assessment therefor, insofar as the same is not fixed and prescribed by the terms of this charter.

#### Special Assessments

Section 12. The city shall follow the special assessment provisions of Minnesota statutes, as may be amended from time to time.

#### Eminent Domain

Section 13. The city may acquire by purchase, gift, condemnation or otherwise, any property, either within or without its boundaries, that may be needed by the city for any public purpose. In acquiring property by exercising the power of eminent domain, the city shall proceed according to Minnesota statutes or other applicable laws, as may be amended from time to time.

#### Public Utilities

##### Section 14.

a) Acquisition and operation of utilities. The city may own and operate any water, gas, light, power, heat, electronic communications, telephone, transportation or other public utility for supplying its own needs for utility service or for supplying utility service to private consumers or other governmental agencies. It may construct all facilities reasonably needed for that purpose and may acquire any existing utility properties so needed. The city shall not acquire or construct any public utility unless the proposition to acquire or to construct it has been incorporated in an ordinance and adopted by the council. Such ordinance shall not be an emergency ordinance.

b) Regulations and rates. The council may by resolution establish a procedure to fix rates, fares, and prices for any municipal utility, prescribe the time and manner of payment for any such service, make such other regulations as may be necessary, and prescribe penalties for violation of such regulations.

c) Lease of public utility. The council may by ordinance contract with any person, firm, or corporation for the operation of any municipal utility for a term not to exceed ten years. Such ordinance shall not be an emergency ordinance.

d) Sale of public utility. 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 sale or other disposition are embodied in an ordinance approved by a majority of the voters voting thereon at a general or special election. Any sale, lease or abandonment of any city owned utilities shall be subject, in addition, to the requirements of state law.

#### Contracts Awarded-Warrants Drawn

Section 15. Contracts shall be awarded in accordance with the Uniform Municipal Contracting Law and other applicable laws.

#### Vacation of Streets

Section 16. The council may vacate streets, alleys, public ways and public grounds or parts thereof, in the city. The vacation shall be made in accordance with state statutes. The administrator must file a notice of completion of the vacation proceedings in accordance with state statutes as amended from time to time.

#### Compilation of Laws and Ordinances

Section 17. The council may, pursuant to this section and law, revise, rearrange, and codify the ordinances of the city with the additions and deletions found necessary by the council. The ordinance code may be prepared in book, pamphlet or continuously revised loose leaf form. Copies of the code must be kept available at the office of the city administrator for general distribution to the public free or at a reasonable charge. Preparation of the code is sufficient publication of an ordinance provision not previously published, if a notice is published annually in the official newspaper for two successive weeks stating that copies of the code are available at the office of the city administrator.

#### Debt

Section 18. Except as provided in the section entitled "Tax Anticipation Certificates", no obligations may be issued to pay current expenses, but the council may issue and sell obligations for any other municipal purpose in accordance with law and within the limits prescribed by law.

#### Tax Anticipation Certificates

Section 19. At any time after January 1st following the making of an annual tax levy, the council may issue certificates of indebtedness in anticipation of the collection of taxes levied for any fund and not yet collected. The total amount of certificates issued against any fund for a fiscal year with interest thereon until maturity may not exceed 90% of the total current taxes for the fund uncollected at the time of issuance. The certificates (a) are issued on such terms and conditions as the council determines, (b) bear interest at no more than the lawful rate, and (c) are due and payable no later than the 1st day of April of the year following their issuance. The proceeds of the tax levied for the fund against which tax anticipation certificates are issued and the

full faith and credit of the city must be irrevocably pledged for the redemption of the certificates in the order of their issuance against the fund.

#### Franchises required

Section 20. Except as otherwise provided by law, no person, firm, or corporation may place or maintain a permanent or semi-permanent fixture in, over, upon, or under a street, highway, right-of-way, or easement owned by the city, or public place in the city for any purpose without a franchise therefor from the city.

#### Ordinance

Section 21. A franchise is granted by ordinance requiring a two-thirds vote for passage and may not be an emergency ordinance. An ordinance granting a franchise must contain all of the terms and conditions of the franchise. A franchise is not valid unless unconditionally and fully accepted by the grantee and filed with the city administrator.

#### Term

Section 22. Franchises are limited to not longer than 15 years.

#### Public Hearing

Section 23. Before a franchise ordinance is adopted the council must hold a public hearing on the matter. Notice of the hearing must be published at least once, in the official newspaper, not less than ten days prior to the hearing. All other requirements of applicable state and federal laws must also be satisfied.

#### Publication Costs

Section 24. The grantee of the franchise shall pay for publication of the franchise ordinance.

#### Power of Regulation Reserved

Section 25. Subject to applicable law the council may by ordinance reasonably regulate and control the exercise of a franchise. The rights of the grantee under a franchise are subject to the superior rights of the public to the use of streets and public places.

#### Renewals

Section 26. An extension, renewal, or modification of a franchise is subject to the same limitations and is granted in the same manner as a new franchise.

#### CHAPTER VI, Administrator

The city council shall appoint an administrator who shall be the chief administrative officer of the city and responsible to the council for administration of the city's affairs, reporting requirements, departments and operations. The administrator shall be responsible for keeping of all records of the city, proceedings of city council



meetings, and any statutory duties of a city clerk. The administrator shall also discharge other duties as may be required by this charter, the city council, the laws of the state of Minnesota, and federal laws. The administrator shall serve an indefinite term unless removed for cause.

#### CHAPTER VII, Finance Director

The city council shall appoint a finance director who shall also act as treasurer of the city and who shall receive, provide for safe keeping, and properly account for all moneys belonging or accruing to the city. The finance director shall provide for disbursement of city funds in a manner established and authorized by the city council and shall assist in the preparation of the city's budget, monthly financial reports and annual financial statements. The finance director shall also discharge other duties as may be required by this charter, the city council or by the laws of the state of Minnesota. The finance director shall serve an indefinite term unless removed for cause.

#### CHAPTER VIII, City Finance

##### Fiscal Year.

Section 1. The fiscal year of the city shall begin on the first day of January and terminate on the last day of December of each year.

##### General and Special Revenue Funds

Section 2. There shall be maintained in the city treasury a fund designated as the general fund into which shall be paid all moneys designated for general government operation and all moneys not specifically belonging to any other fund and from which there may be drawn for such general government operations and for such purposes as authorized by the city council.

There shall also be maintained in the city treasury an airport fund and a library fund designated as special revenue funds for activities supported by revenues from specific taxes or other earmarked general revenue sources. The city council may by resolution, establish additional special revenue funds needed to provide for activities which may be duly authorized.

##### Library Fund

Section 3. The library fund shall be under control of a library board herein provided for and subject to be paid out upon its order and into such funds shall be paid all amounts received from the sale of any property under the control of such board, and appropriations thereto and the proceeds received from the sale of any property under the control of such board, and all taxes, interest and penalties accruing thereto, by reason of the levy of any taxes for such board, and the proceeds of all gifts made to said library board, and out of such fund shall be paid the expenses of such board and all salaries, and the cost of the acquisition, maintenance and operation of the system of public libraries of the city, and of the property under the control of such board.

#### Permanent Improvement Fund

Section 4. There shall be maintained in the city treasury a fund to be designated as the permanent improvement fund, into which shall be paid all the moneys received from the sale of any property or permanent improvements of the city and such amounts from time to time as may be realized from the sale of any bonds or certificates of indebtedness issued on account of such fund, and all amounts collected on special assessments which may have been levied to provide for public improvements or services the payment of which may have been advanced in the first instance out of such fund. It may be further maintained by an annual tax levy to be made by the city council of an amount necessary. And out of such fund shall be paid the cost of acquiring all real property and appurtenances, and the construction and improvement of all buildings and permanent improvements which shall not be otherwise provided for out of other funds, and also the cost of all local improvements unless otherwise provided by resolution of the council. The city shall maintain such funds sufficient to meet the expenses of all such improvements as the same become payable as in this charter provided.

#### Enterprise Funds

Section 5. There shall be maintained separate funds for the operation of water, stormwater, electric, sewer and gas services, liquor dispensary, and other municipal enterprises which may be duly authorized. There shall be paid into each of these funds all moneys derived from its sales or services or sale of any property which had been acquired or used in connection with each enterprise, and proceeds of any special assessments or sale of bonds unless otherwise provided by resolution of the council.

The city finance director shall keep separate accounts for proceeds of the sale of bonds issued for construction, extension, improvement, or acquisition of each enterprise.

There shall be paid out of these enterprise funds the costs for operation, maintenance and repair, debt redemption and required reserves, and should there be an accumulated surplus, the city council may, by resolution, transfer said accumulation to a general or special revenue fund of the city.

#### Debt Service Fund

Section 6. There shall be maintained in the city treasury a debt service fund in order to provide for payment of any general obligation bonds which may be issued by the city. Such fund shall be maintained by annual tax levies or other dedicated revenues made by the city council for the payment or redemption of any lawfully authorized general obligation bonds.

#### Capital Projects Fund

Section 7. There may be established and maintained in the city treasury a capital projects fund to account for the receipt and disbursement of moneys used for construction or acquisition of capital facilities other than those financed by enterprise funds or special assessments.

## Trust and Agency Funds

Section 8. There may be established and maintained in the city treasury trust and agency funds used to account for assets held by the city as trustee or agent for individuals, private organizations, and other governmental units.

## Intergovernmental Funds

Section 9. There may be established and maintained in the city treasury intergovernmental services funds to account for activities or services performed by a designated unit within the city for other units within the city.

## Report of Estimate

Section 10. The city administrator shall report to the city council an estimate of the current revenues and expenditures of the city for the current fiscal year and shall present a proposed budget for the coming fiscal year for each of the governmental and enterprise funds of the city. The report and proposed budget shall coincide with Truth in Taxation hearing publication and adoption dates established by the state of Minnesota.

## Money--How Paid Out--City Orders

Section 11. All moneys belonging to the city, except as otherwise provided in this charter, shall be under the control of the city council, and shall be paid out only upon a resolution of the city council, by an affirmative vote of a majority of the whole number of the city council and countersigned by officials designated by the city council. The city council may establish a petty cash fund and other such funds, and allow designated officials to disburse monies from such funds without the prior approval of the city council. Such disbursements shall be subsequently reviewed and approved by the city council.

## CHAPTER IX, Initiative, Referendum, and Recall

### The Meaning of Initiative and Referendum

Section 1. The people of the city reserve to themselves the power, in accordance with the provisions of this chapter, to initiate and adopt ordinances, except ordinances appropriating money or authorizing the levy of taxes; and to require ordinances enacted by the council, except ordinances appropriating money or authorizing the levy of taxes, to be referred to the voters of the city for approval. These powers are initiative and referendum respectively.

### Initiative

Section 2. Any proposed ordinance may be submitted to the council by a petition initiated by one or more qualified voters of the city and signed by a number of voters equal to 5% of the registered voters registered as of the day of last general city election. A qualified

voter does not have to be a registered voter but must be eligible to be registered as a voter in the city.

#### Petition Requirements

Section 3. The petition shall be in the form designated as Appendix A to this charter, and shall include the following information for each person signing:

1. signature
2. printed name
3. current address

All signatures need not be on the same sheet of paper but at least one of the circulators of each sheet must make an oath before an officer competent to administer oaths, such as a notary public, that the statements made are true and that each signature on the sheet is the genuine signature of the person it purports to be.

#### Processing of Petitions

Section 4. Within 10 business days of receiving a petition including the necessary number of signatures, the city administrator shall determine if the petitions are sufficient by verifying names and addresses of the signers, verifying the oaths of circulators, and verifying that the requisite number of names are listed. The city administrator shall then certify the petitions.

If the petitions are certified to be insufficient, the voters shall have 10 business days to amend from the date the petitions are certified by the city administrator. The conditions of sufficiency are in the first paragraph of this section, and include the names and addresses of the signers, the verified oaths of the circulators and the requisite number of names. The city administrator then has an additional 10 business days to certify the amended petitions. The voters may attempt to amend the petitions twice without prejudice. If unable to amend the petitions, the voters must start the process anew.

If the petitions are sufficient, the city administrator shall submit the proposed ordinance to the council without delay at the next regularly scheduled council meeting at which the council is authorized to take action.

The council shall either pass the ordinance without alteration within 45 business days of certification of the petitions by the city administrator or shall submit the ordinance to the voters at a special or general election.

#### Election Requirements

Section 5. If a general election is within 90 calendar days after the council determines to submit the ordinance to the voters, the council shall submit the ordinance to the voters at that next election. If there is not a general election within 90 calendar days, the council shall order a special election to be held within statutory time limits of special election laws and not more than 60 calendar days after the

council determines to submit the ordinance to the voters. Not more than one special election may be held in any period of six months.

#### Publishing Requirements

Section 6. The ordinance shall be published by one of the following methods:

- a. The city council may have the ordinance printed and enclose a copy of the printed ordinance with each sample ballot sent out at least 10 business days prior to the election, to each registered voter; or
- b. The city council may order that the ordinance be published in the official newspaper of the city in the same way ordinances adopted by the city are published, at least 10 business days prior to the election.

#### Ballot Requirements

Section 7. The ballot used when voting upon any such proposed ordinance shall state the substance of the ordinance and shall give the voter the opportunity to vote either "FOR THE ORDINANCE" or "AGAINST THE ORDINANCE".

#### Requirements for Passage of Ordinance

Section 8. The ordinance passes if it receives a majority vote of those voting on the ordinance. There is no limit on number of ordinances that can be voted on at the same election.

#### Repeal and Amendment Process

Section 9. If an ordinance is adopted by the vote of the people, it cannot be repealed except by a vote of the people unless the ordinance subsequently becomes in conflict with state or federal law or other city ordinances. Then the council shall be authorized to amend or repeal said ordinance in keeping with the spirit of the ordinance. The council may submit a proposition for the repeal or amendment of such an ordinance at any subsequent general election. Such a proposition must receive a majority vote of those voting on the proposition to repeal or amend the ordinance. Propositions to repeal or amend an ordinance require the same publication as the vote for a proposed ordinance.

#### Referendum

Section 10. If prior to the date when an ordinance of the council becomes effective, a petition, initiated by one or more qualified voters of the city and signed by a number of voters equal to 5% of the registered voters registered as of the day of the last general city election, may be filed with the city administrator, requesting that any such ordinance, or any part of such ordinance, not be enacted, or be submitted to a vote of the electorate. A qualified voter does not have to be a registered voter but must be eligible to be registered as a voter in the city.

## Petition Requirements

Section 11. The petition shall be in the form designated as Appendix B to this charter, and shall include the following information for each person signing:

1. signature
2. printed name
3. current address

All signatures need not be on the same sheet of paper but at least one of the circulators of each sheet must make an oath before an officer competent to administer oaths, such as a notary public, that the statements made are true and that each signature on the sheet is the genuine signature of the person it purports to be.

## Referendum Procedures

Section 12 The requirements enunciated in Section 4 through Section 9, shall apply to the referendum process, as far as possible, with such minor changes as may be necessary.

## The Meaning of Recall

Section 13. The holder of any elective office may be removed at any time by the citizens qualified to vote for a successor of such incumbent in accordance with the following procedures, except that, no recall petition shall be filed against any officer until the officer has held office for at least six (6) months. This is the power of recall.

## Recall

Section 14. One or more qualified voters, who are constituents of the officer whose recall is proposed shall certify to the city administrator the name of the officer whose removal is sought; shall include allegations of malfeasance or non-feasance in a statement of the grounds for removal, in not more than five hundred (500) words; and shall present a petition signed by a number of qualified voters equal to 20% of the registered voters registered as of the day of last general election for said officer's constituency. A qualified voter does not have to be a registered voter but must be eligible to be registered as a voter in the city and must be a constituent of the officer whose recall is proposed.

## Petition Requirements

Section 15. The petition shall be in the form designated as Appendix C, to this charter, and shall include the signature, printed name, and current address for each person signing. A copy of the certificate, identical to that submitted to the city administrator shall be attached to each petition and no signatures shall be collected prior to attachment of said certificate.

All signatures need not be on same sheet of paper but at least one of the circulators of each sheet must make an oath before an officer competent to administer oaths, such as a notary public, that the

statements made are true and that each signature on the sheet is the genuine signature of the person it purports to be.

#### Processing of Petitions

Within 10 business days of receiving a petition including the necessary number of signatures, the city administrator shall determine if the petitions are sufficient by verifying names and addresses of the signers, verifying the oaths of circulators, and verifying that the requisite number of names are listed. The city administrator shall then certify the petitions.

If the petitions are certified to be insufficient, the voters shall have 10 business days to amend from the date the petitions are certified by the city administrator. The conditions of sufficiency are in the first paragraph of this section, and include the names and addresses of the signers, the verified oaths of the circulators and the requisite number of names. The city administrator then has an additional 10 business days to certify the amended petitions. The voters may attempt to amend the petitions twice without prejudice. If unable to amend the petitions, the voters must start the process anew.

If the petitions are sufficient, the city administrator shall submit the proposed ordinance to the council without delay at the next regularly scheduled council meeting at which the council is authorized to take action. If the officer sought to be removed does not resign within five (5) business days, the council shall set a date for a recall election.

#### Election Requirements

Section 17. If a general election is within ninety (90) calendar days, the council shall submit the recall to the voters at that next general election. If there is not a general election within ninety (90) calendar days, the council shall order a special election to be held within statutory time limits of special election laws and not more than 60 calendar days after the date of final action by the council. Not more than one special election for a recall petition may be held in any period of six months.

#### Election Call Requirements

Section 18. In the call for the election, there shall be given the statement of the grounds for the recall of the officer, as set forth in the certificate attached to the petition. The call shall also set forth, in not more than five hundred (500) words, a statement of the officer sought to be removed explaining his or her position on the grounds for recall.

#### Ballot Requirements

Section 19. The ballot used when voting upon in such election shall state, "Shall (name of elected official) be recalled?" with voters allowed to vote yes or no.

## Publishing Requirements

Section 20. The city administrator shall publish notice of the time and place of said election by publishing the election call, including the title of the office of the recalled officer, in the official newspaper of the city, at least 10 business days prior to the election.

## Election Results

Section 21. If a majority of the qualified voters vote in favor of the recall of said officer, the officer shall be removed from office immediately. The vacancy shall be filled according to Chapter II, Section 6 of this charter.

## CHAPTER X, Police Department

### Organization

Section 1. There shall be maintained in the city, a police department. The Police Department shall be subject to the provisions of this charter, and all applicable ordinances, and state and federal statutes, rules and regulations.

The police department shall be administered in the same manner as other departments of the city.

The police department as here established, may not be abolished, nor may its duties, powers, or responsibilities, be transferred, assigned or given to any other agency or unit of government, without the same having been first submitted to the qualified voters of the city and adopted by a majority voting at such election on the question.

### Rules-By Whom Made

Section 2. The chief of police is authorized and required to make all needful rules and regulations not inconsistent with this charter, the laws of this state, and the ordinances of this city, for the governing and control of the police department. All rules and regulations shall be put in writing.

## CHAPTER XI, Fire Department

### Chief of the Fire Department

Section 1. There shall be a volunteer fire department in the city of Two Harbors.

The fire department shall be administered in the same manner as other departments of the city.

### Rules and Regulations

Section 2. The chief of the fire department is authorized and required to make all needful rules and regulations, not inconsistent with the laws of the state, the provisions of this charter, or the ordinances of the city, for the government and control of the fire department, and for the prevention and extinguishment of fires. All rules and



regulations made in pursuance thereof shall be in writing, signed by the aforesaid officer, and shall be filed in the office of the city administrator, and shall be binding upon all persons connected with said department.

#### Fire Alarm and Other Property

Section 3. The city council shall provide for the establishment and maintenance of a fire alarm system, for the purposes of the fire department; and provide for the purchase of such apparatus as may be necessary. The city council shall also provide for the sale, or disposal, of any property no longer necessary for the use of the department, and the proceeds thereof shall be paid over to the city .

#### CHAPTER XII, Library Board

##### Power to Maintain Libraries

Section 1. The city council shall have power and authority to establish, fund, and maintain within the city, libraries, reading rooms, galleries of art and museums.

##### Library Board, Appointments, etc.

Section 2. There shall be maintained in the city a library board which shall consist of nine directors who shall hold office for the term of three years, or until their successors are elected or appointed and duly qualified. Directors will not be eligible to serve more than three consecutive terms.

Annually the mayor, by and with the advice and consent of the city council, shall appoint three directors as members of the library board to serve for the period of three years. The majority of directors shall be chosen from the citizens of the city at large, without reference to sex or political opinions but with reference to their fitness for said office, and not more than one member of the city council or county board shall at any time be a member of said library board.

##### Removals, Vacancies, Compensation

Section 3. The mayor, by and with the consent of the council, may remove any director for misconduct or negligence of duty, and vacancies in the board of directors occasioned by removals, resignation, death or otherwise, shall be reported to the mayor and be filled in like manner as the original appointment, but appointments to fill vacancies shall be for the unexpired term. No director shall receive any compensation as such.

##### Organization of Board

Section 4. At the organizational meeting of each year the members of said library board shall meet and organize by the election, from their own number, of a president, a vice president, a secretary, and such other officers as the board may deem necessary.

## Manage and Control Funds

Section 5. The library board shall be a department of the city government and shall have the exclusive management and control of the expenditure of all moneys collected and received on account of the library fund.

## Custody of Library Building and Property

Section 6. Such board shall also have exclusive control and supervision of the construction of any library building as well as the control, care and custody of all grounds, rooms or buildings held, leased, constructed or set apart for such purpose, and the books, papers and other personal property there placed and kept; shall have the power to acquire by lease and provide appropriate rooms for the use of said library; shall have the power to appoint a suitable librarian and necessary assistants and fix their compensation. Said board shall have power, when authorized by the city council, to purchase grounds and erect thereon a suitable building for the use of said library.

## Orders for the Payment of Money

Section 7. All orders for the payment of money for this department shall be authorized and allowed by said board by a majority vote of all its members, taken by a voice vote of "yes" or "no," and entered upon the record of its proceedings, and shall be signed by the president and attested by the; secretary, and thereupon such orders shall be paid by the city finance director.

## Reports

Section 8. The library board shall make an annual report to the city council stating the condition of their trust. The deadline for this annual report shall be consistent with the statutory deadline for filing of a financial report with the Department of Education. The report shall include the various sums of money received from the library fund and other sources, and how much moneys have been expended and for what purposes; the number of books and periodicals and other lending materials on hand; the number added during the year; the number lost or missing; the number of persons attending; the number of books and items loaned out; the number of books and lending items withdrawn; and such other statistics, information and suggestions as they may deem of general interest.

## Libraries and Reading Rooms, Free

Section 9. Every library and reading room, or either of these, established under this charter, shall be forever free for use, always subject to such reasonable rules and regulations as the library board may adopt; and said board may exclude from the use of said library and reading rooms, or either of these, any and all persons who shall willfully violate such rules.

About this version of the charter

The Charter Commission, with membership changes over the years, convened in the 1990's to update the Charter for the 21st century. After a slow start and little progress, the Commission finally found its gait, and made quick strides towards a shorter document. Material which had been retained for its historical interest or novelty was eliminated. Changes in the way the city did its business, along with changes in laws at various levels, mandated further additions to, or subtractions from, the charter. An effort was also made to produce a more readable document for the average citizen.

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.....

Appendix "A" Initiative Petition

Proposing an ordinance to .....  
(stating the purpose of the ordinance,) a copy of which ordinance is  
hereto attached. This ordinance is sponsored by the following eligible  
voters:

Name and address

- 1 .....
- 2 .....
- 3 .....
- 4 .....
- 5 .....

The undersigned voters, understanding the terms and nature of the  
ordinance attached, petition the council for its adoption or, in lieu  
thereof, for its submission to the voters for their approval.

Name and address

- 1 .....
- 2 .....
- 3 .....
- 4 .....
- 5 .....
- 6 .....
- 7 .....
- 8 .....
- 9 .....
- 10.....
- 11.....
- 12.....

Signature of circulator.....

Subscribed and sworn to before me this .....day of ....., 20.....  
(seal) Notary

.....  
.....

Appendix "B" Referendum Petition

Proposing to repeal or amend an ordinance to .....  
(stating the purpose of the ordinance,) a copy of which ordinance or  
proposed ordinance amendment is hereto attached. This referendum  
petition is sponsored by the following eligible voters:  
Name and address

1 .....  
2 .....  
3 .....  
4 .....  
5 .....

The undersigned voters petition the council for submission of this  
proposal to repeal or amend, to the voters for their approval or  
disapproval.  
Name and address

1 .....  
2 .....  
3 .....  
4 .....  
5 .....  
6 .....  
7 .....  
8 .....  
9 .....  
10.....  
11.....  
12.....

Signature of circulator.....  
Subscribed and sworn to before me this .....day of ....., 20.....  
(seal) Notary  
.....  
.....

Appendix "C" Recall Petition

Proposing the recall of .....  
from the office of.....

Which recall is sought for the reasons set forth in the attached  
certificate. This petition is sponsored by the following eligible  
voters:

Name and address

1 .....  
2 .....  
3 .....  
4 .....  
5 .....

The undersigned voters, understanding the nature of the charges against  
the officer herein sought to be recalled, desire the holding of a  
recall election for that purpose:

Name and address

1 .....  
2 .....  
3 .....  
4 .....  
5 .....  
6 .....  
7 .....  
8 .....  
9 .....  
10.....  
11.....  
12.....

Signature of circulator.....

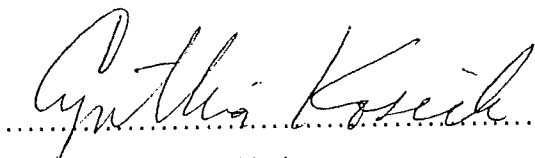
Subscribed and sworn to before me this .....day of ....., 20.....

(seal) Notary


.....  
.....

## The Two Harbors City Charter Commission Certificate

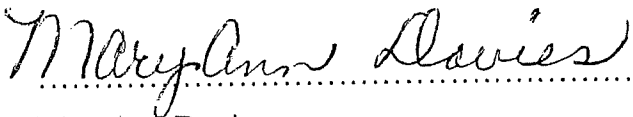
We, the undersigned, being a majority of the duly appointed, qualified and acting members of the Charter Commission in and for the City of Two Harbors, Lake County, Minnesota, hereby certify that the foregoing document consisting of Chapters 1 through 12 inclusive, is the draft of a revised charter prepared and framed by the charter Commission and we hereby affix our signatures to that draft in testimony of our approval thereof, and deliver the same to Lee Klein, the City Administrator of the City of Two Harbors.



Cynthia Kosiak, Chair



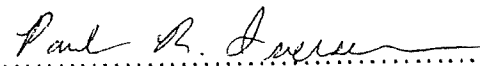
Deborah J. Anderson



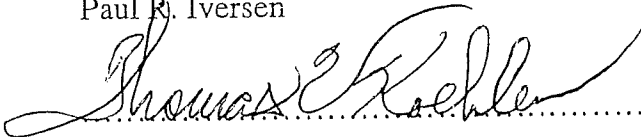
MaryAnn Davies



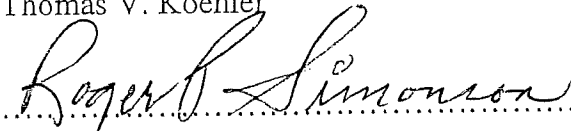
Thomas N. Gould



Paul R. Iversen



Thomas V. Koehler



Roger P. Simonson

This document was drafted by:

Thomas V. Koehler  
City of Two Harbors Charter Commission  
522 First Avenue  
Two Harbors, Minnesota 55616