

THE
MUNICIPAL CODE
OF
SAINT PAUL:

COMPRISING THE

LAWS OF THE STATE OF MINNESOTA RELATING TO THE CITY OF
SAINT PAUL,

AND THE

ORDINANCES OF THE COMMON COUNCIL;

REVISED TO DECEMBER 1, 1884,

BY

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CHAPTER IV.

THE COMMON COUNCIL—ITS GENERAL POWERS AND DUTIES.

77 SECTION 1. The aldermen shall constitute the common council, and the style of all ordinances shall be: "The Common Council of the City of St. Paul do ordain," etc. The common council shall meet at such time and place as they by resolution may direct. A majority of the aldermen shall constitute a quorum.

Style of ordinance.

78. SEC. 2. The common council shall hold stated meetings, and the mayor may call special meetings by notice to each of the members, to be delivered personally or left at their usual place of abode. The common council shall be the judge of the election and qualification of its own members, and in such case shall have power to send for persons and papers, and shall also determine the rules of its own proceedings, and have power to compel the attendance of absent members.

Meeting of council, etc.

79. SEC. 3. The common council shall have the management and control of the finances (subject to the provisions of this act) and all the property of the city, and shall likewise, in addition to the power herein vested in them, have full power and authority to make, enact, ordain, establish, publish, enforce, alter, modify, amend and repeal all such ordinances, rules and by-laws for the government and good order of the city, for the suppression of vice and intemperance, and for the prevention of crime, as they shall deem expedient; they shall have the power to establish and maintain a city prison and watch-houses, for the imprisonment, custody and safe keeping of all persons arrested for or charged with any offense whatever, in any way cognizable before the judge of the Municipal court; to make all rules and regulations for the government and management of such prison and watch-houses, to appoint keepers and other officers for the same, and prescribe their duties and fix their compensation; the keepers of said prison and watch-houses shall have and possess all the powers and authority of jailors at common law or by the laws of this state. The common council shall have full power and authority to declare

Power over city finances, and other powers.

May impose penalties.

and impose penalties and punishments, and to enforce the same against any person or persons who may violate any of the provisions of any ordinance, rule or by-law passed or ordained by them; and all such ordinances, rules and by-laws are hereby declared to be and have the force of law. *Provided*, That they be not repugnant to the constitution and laws of the United States or of this state; and for these purposes shall have authority by ordinances, resolutions or by-laws.

Limit.

19 M., 389.

May license and regulate shows, etc.

First—To license and regulate the exhibition of common showmen and shows of all kinds, and the exhibition of caravans, circusses, concerts and theatrical performances, and also to license and regulate all auctioneers, billiard tables, pigeon-hole tables, nine or ten-pin alleys, bowling saloons, butcher shops and butcher stalls and venders of butcher's meat, pawnbrokers, insurance offices and insurance agencies, taverns, lager beer saloons, victualing houses, and all persons vending, dealing in or disposing of spirituous, vinous, malt or fermented liquors: *Provided*, That this act shall not be so construed as to prevent pork-packers from disposing of offal or trimmings of hogs, nor shall any person selling game, or who may dispose of any animals raised or fattened by him, or who may sell fresh meats by the carcass or quantities not less than by the quarter, be deemed or held to be a vender of fresh or butcher's meats under the provisions of this act; and also to license and regulate the selling or contracting for the sale of any goods, wares or merchandise by samples, when such goods, wares or merchandise are thereafter to be sent or delivered to the purchaser; *And provided further*, That not less than five dollars, nor more than \$500 shall be required to be paid for any license under this act, and the fee for issuing the same shall not exceed one dollar; and said common council may at any time revoke any license granted under this act for misconduct in the course of trade, and may regulate and restrain the sale of fresh or butcher's meat within the corporate limits of said city, and punish or restrain the forestalling of poultry, game, eggs or fruit within said city: *And provided*, That no general law of this state shall be construed as to prevent the

Limit to license.

Insurance of offices and agencies.

licensing or regulation of insurance offices and insurance agencies by said common council.

12 M., 41; 16 M., 102; 19 M., 267, 389.

Gaming, etc.

Second—To restrain and prohibit all descriptions of gaming and fraudulent devices and practices, and all playing of cards, dice, or other games of chance for the purpose of gaming in said city; and to restrain any person from giving or dealing in spirituous, fermented or vinous liquors, unless duly licensed by the common council.

17 M., 72.

To prevent riots.

Third—To prevent any riots, noise, disturbance and disorderly assemblages in said city, and to provide for the arrest and punishment of any person or persons who shall be guilty of the same; to suppress disorderly houses or grogeries and houses of ill-fame, and to provide for the arrest and punishment of the keepers thereof; and to authorize the destruction of all instruments used for the purposes of gaming.

26 M., 507.

Suppress houses of ill-fame, gambling houses, etc

Fourth—To compel the owner or occupant of any grocery, cellar, tallow-chandler shop, soap factory, tannery, stable, barn, privy, sewer, or other unwholesome, nauseous house or place, to cleanse, remove or abate the same from time to time, as often as may be deemed necessary for the health, comfort and convenience of the inhabitants of said city.

To abate nuisances.

Fifth—To direct the location and management of slaughter-houses and markets, breweries, distilleries and pawn-brokers, and to establish rates for and license venders of gun powder, and regulate the storage, keeping and conveying of gun powder or other combustible material.

25 M., 372.

Slaughter houses, markets, gun powder, etc.

Sixth—To prevent the encumbering of streets, sidewalks, lanes, alleys, public grounds or wharves, with carriages, carts, wagons, sleighs, boxes, lumber, fire wood, posts, awnings, or any other materials or substances whatever.

Keep streets clear of obstructions.

Seventh—To prevent and punish horse-racing, immoderate riding or driving in the streets, to compel persons to fasten their horses or other animals, attached to vehicles or otherwise, while standing in the streets, and to regulate

Prevent fast driving, etc.

places of bathing and swimming in the waters within the limits of said city.

Pounds, sale of
cattle, poultry,
sheep, etc.

Eighth—To restrain the running at large of cattle, swine, sheep, poultry and geese, and to authorize the distraining and sale of the same, and to impose penalties on the owners of such animals for violation of the ordinances; *Provided*, That when a sale of such animals shall be made, the proceeds thereof, after deducting the expenses of distraining, keeping, advertising and selling such animals, shall be deposited in the office of the treasurer of said city, for the use and benefit of the owners thereof, if called for by such owner within one year from the day of such sale.

Destroy dogs
and tax same.

Ninth—To prevent the running at large of dogs, and may impose a tax on the same, and to authorize the destruction of the same in a summary manner, when at large contrary to the ordinance.

Prevent nuisance.

Tenth—To prevent any person from bringing, depositing or having within said city, any putrid carcass, or other unwholesome substance, and to require the removal of the same by any person who shall have upon his premises any such substance, or putrid or unsound beef, pork, fish, hides or skins of any kind; and on default to authorize the removal thereof by some competent officer, at the expense of such person or persons.

May establish
pumps, wells,
etc.

Eleventh—To make and establish public pounds, pumps, wells, cisterns, hydrants, reservoirs, and to provide for and conduct water into and through its streets, avenues, alleys and public grounds, and to provide for and control the erection of water works for the supply of water to its inhabitants; to regulate, and at a reasonable rate, to license hacks, carts, omnibuses, trucks, wagons and other vehicles engaged in hauling or carrying for hire, and the charges of the drivers of such vehicles; to regulate, and at a reasonable rate, to license second-hand stores and junk shops, and to erect lamps and to provide for lighting the city, and to control the erection of gas works, or other works for lighting the city, streets, public grounds and public buildings, and to create, alter and extend lamp districts.

Water-works.

Gas-works.

Twelfth—To establish and to regulate boards of health, provide hospitals and hospital grounds, the registration of births and deaths, and the returns of the bills of mortality, and to regulate or prevent the burial of the dead within the city limits.

Board of health.

Thirteenth—To regulate the assize and weight of bread, and to provide for the seizure and forfeiture of bread baked contrary thereto.

Bread.

Fourteenth—To prevent all persons riding or driving any ox, mule, cattle or other animal on the sidewalks or other public grounds or property in said city, or in any way doing any damage to such sidewalks, grounds or property.

Driving on sidewalks, etc.

Fifteenth—To prevent the shooting of fire-arms or crackers, and to prevent the exhibition of any fire-works in any situation which may be considered by the council dangerous to the city or any property therein or annoying any citizen thereof.

Shooting fire-arms, etc.

Sixteenth—To prevent open or notorious drunkenness and obscenity in the streets or public places of said city, and to provide for the arrest and punishment of all persons who shall be guilty of the same.

Drunkenness.

Seventeenth—To restrain and regulate porters, and also runners, agents and solicitors for the boats, vessels, stages, cars, public houses or other establishments.

Porters and runners.

Eighteenth—To establish public markets and other public buildings, and make rules and regulations for the government of the same; to appoint suitable officers for overseeing and regulating such markets, and to restrain all persons from interrupting or interfering with the due observance of such rules and regulations.

Public markets.

25 M., 248.

Nineteenth—To provide for the receipt, storage, transportation, safe keeping and dealing and traffic in gun powder, gun cotton, petroleum, kerosene or other dangerous, explosive or inflammable oils or substances within said city, or within one mile of the corporate limits thereof, and to provide for the summary condemnation or destruction of any of said articles as may be kept, stored, dealt in, transported through or received in said city, contrary to such or-

Gunpowder, petroleum, etc.

dinances as said city may enact for the safety of life and property therein.

Weighing hay,
etc.

Twentieth—To regulate the place and manner of weighing hay and selling the same, and the measuring and selling of firewood, coal and lime, and to appoint suitable persons to conduct and superintend the same.

Streets and
sidewalks to be
cleaned.

Twenty-first—To compel the owner or occupant of buildings or grounds to remove snow, dirt or rubbish from the sidewalk, street or alley opposite thereto, and to compel such owner or occupant to remove from the lot owned or occupied by him all such substances as the board of health shall direct; and in his default to authorize the removal or destruction thereof by some officer of the city, at the expense of such owner or occupant.

25 M., 372.

Wharves, piers,
levee, etc.

Twenty-second—To control and regulate the construction of piers or wharves, or grading said wharves into the Mississippi river, within the corporate limits of said city, and to prescribe and control the prices to be charged for pierage or wharfage thereon, and to prevent or remove all obstructions in the water of said river. And to prescribe and regulate rates of wharfage and pierage to be charged to any boat or vessel mooring at any landing, wharf, or pier within the limits of said city, and paid to said city; and to regulate the landings, levee, wharves and piers within the limits of said city, and boats and vessels landing and mooring at the same.

Contagious diseases.

Twenty-third—To prevent, control and regulate the landing of persons from boats and vessels whereon are contagious or infectious diseases or disorders, and to make such disposition of such persons as to preserve the health of said city; and also to regulate, control and prevent the landing and conveyance of paupers and persons in a destitute condition into said city, and not having a legal settlement or residence therein, by any boat or vessel or other means of conveyance, and to require that such persons shall be taken back to the place from whence they may have been brought by the person or persons bringing or leaving them in said city.