

No. 330, A.]

[Published September 22, 1959.

**CHAPTER 448**

AN ACT to amend 66.54 (7) (e), 66.60 (2), (7) and (16) (a), 66.605, 66.615 (3) (e) and 66.62 (1) of the statutes, relating to special assessments.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

SECTION 1. 66.54 (7) (e) of the statutes is amended to read:

66.54 (7) (e) Whenever the governing body \* \* \* *determines* to permit any special assessments for any local improvements to be paid in instalments it shall cause a notice to be published in the official paper, if the municipality has one, otherwise it shall cause such notice to be posted in 3 public places in such municipality. Such notice shall be substantially in the following form:

INSTALMENT ASSESSMENT NOTICE.

Notice is hereby given that a contract has been (or is about to be) let for (describe the improvement) and that the amount of the special assessment therefor has been determined as to each parcel of real estate affected thereby and a statement of the same is on file with the----- clerk; it is proposed to collect the same in ----- instalments, as provided for by section 66.54 of the Wisconsin statutes, with interest thereon at ----- per cent per annum; that all assessments will be collected in instalments as above provided except such assessments on property where the owner of the same shall file with the ----- clerk within 30 days from date of this notice a written notice that he elects to pay the special assessment on his property, describing the same, to the ----- treasurer on or before the next succeeding \* \* \* *November 1*. If, after making such election, said property owner \* \* \* *fails* to make the payment to the ----- treasurer, the ----- clerk shall place the entire assessment on the next succeeding tax roll.

Dated-----

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Clerk of (name of municipality)

SECTION 2. 66.60 (2), (7) and (16) (a) of the statutes are amended to read:

66.60 (2) Prior to the exercise of any powers conferred by this section, the governing body shall declare by preliminary resolution its intention to exercise such powers for a stated municipal purpose. Such resolution shall describe generally the contemplated purpose, the limits of the proposed assessment district, the number of instalments in which the special assessments may be paid, *or that the number of instalments will be determined at the hearing required under sub. (7)*, and direct the proper municipal officer or employe to make a report thereon. Such resolution may limit the proportion of the cost to be assessed.

(7) Upon the completion and filing of the report required by sub. (3) the city or village clerk shall cause notice to be given stating the nature of the proposed work or improvement, the general boundary lines of the proposed assessment district including, in the discretion of the governing body, a small map thereof, the place and time at which the report may be inspected, and the place and time at which all persons interested, or their agents or attorneys, may appear before the governing body *or committee thereof or the board of public works* and be heard concerning the matters contained in the preliminary resolution and the report. Such notice shall be given either by publication of a copy of the notice at least once in a newspaper published or having a general circulation in such city or village, or such notice shall be posted in not less than 5 public places within the city or village of which at least 3 shall be within the assessment district and a copy of such notice shall be mailed to every interested person whose post-office address is known, or can with reasonable diligence be ascertained, at least 10 days before the hearing or proceeding. The hearing shall commence not less than 10 and not more than 40 days after the publication or posting as provided in this subsection.

(16) (a) In addition to all other methods provided by law, special charges for current services rendered may be imposed by the governing body by allocating all or part of the cost to the property served. Such may include, without limitation because of enumeration, snow and ice removal, weed elimination, street sprinkling, oiling and tarring, repair of sidewalks or curb and gutter, garbage and refuse disposal, sewer service and tree care. The provision for notice of such charge shall be optional with the governing body except that in the case of street \* \* \* tarring and the repair of sidewalks, curb or gutters, 20 days' notice shall be given in a newspaper published or having a general circulation in the city or village, or by posting notice in 5 public places in the city or village and a copy of such notice shall be mailed to every interested person whose post-office address is known, or can with reasonable diligence be ascertained, at least 10 days before the hearing or proceeding. Such notice shall specify that on a certain date a hearing will be held by the governing body as to whether the service in question shall be performed at the cost of the property owner, at which hearing anyone interested will be heard.

SECTION 3. 66.605 of the statutes is amended to read:

66.605 Notwithstanding any other \* \* \* *statute*, the due date of any special assessment levied against property abutting on or benefited by a public improvement may be deferred on such terms and in such manner as prescribed by its governing body while no use of the improvement is made in connection with the property except in cities of the first class the deferment shall extend only while the property remains unplatted and is used by the owner for farming or agricultural purposes. Such special assessment must be paid within 10 years of the date of the resolution making the levy, *unless provision is made to pay the assessment by instalments in which case the assessment shall be paid within the time prescribed.* Any such special assessment shall be a lien against the property from the date of the levy.

SECTION 4. 66.615 (3) (e) of the statutes is amended to read:

66.615 (3) (e) When the cost of repairs of any sidewalk in front of any lot or parcel of land shall not exceed the sum of \* \* \* \$50, the board of public works, or street commissioner if so required by the council, may immediately repair such sidewalk, without notice or letting the work by contract, and charge the cost thereof to the owner of such lot or parcel of land, \* \* \* *as provided in this section.*

SECTION 6. 66.62 (1) of the statutes is amended to read:

66.62 (1) In addition to other methods provided by law, the common council of any city of the second, third or fourth class, or the village board of any village, may by ordinance provide that the cost of installing \* \* \* *or constructing \* \* \* any public work or improvement shall be charged in whole or in part to the property benefited thereby, and to make an assessment against such property in such manner as such council or village board \* \* \* determines. Such special assessment shall be a lien against the property from the date of the levy.*

Approved September 11, 1959.